ranges; authorizing an appropriation to be extended under the contingencies and in the manner provided in the act, etc., and declaring an emergency,"

Has carefully compared same and find

it correctly engrossed.

McCOMBS, Chairman.

Committee Room, Austin, Texas, May 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 207, A bill to be entitled "An Act defining an emigrant agent, and providing a license fee therefor, and bond necessary to be given, and providing penalties for a violation of this act, or making false statements in connection therewith, and creating an emergency,"

Has carefully compared same and find

it correctly engrossed.

McCOMBS, Chairman.

SIXTEENTH DAY.

(Continued.)

(Wednesday, May 15, 1929.)

The House met at 9:30 o'clock a. m. and was called to order by Speaker Barron.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Cox of Lamar, Senate bill No. 114 was ordered not printed. On motion of Mr. Reid, House bill No.

220 was ordered not printed.

On motion of Mr. Holder, Senate bill No. 13 was ordered not printed.

On motion of Mr. Johnson of Dimmit. Senate bill No. 27 was ordered not printed.

On motion of Mr. Reader, House bill No. 192 was ordered not printed.

On motion of Mr. Rountree, Senate bill No. 42 was ordered not printed.

On motion of Mr. Marks, House bill No. 83 was ordered not printed.

On motion of Mr. Montgomery, Senate bill No. 51 was ordered not printed.

OPINION OF ATTORNEY GENERAL IN REGARD TO READING OF BILLS.

The following communication was ordered printed in the Journal:

Statutes—Legislature—Reading of Bills.

1. The provisions of Article 3, Section 1 tion in this language:

32, of the Constitution requiring bills to be read on three several days is complied with by House rules requiring the bills to be read by caption only.

Offices of the Attorney General, Austin, Texas, May 14, 1929.

Hon. W. S. Barron, Speaker, House of Representatives, Capitol.

Dear Sir: This department acknowledges receipt of your letter of the 10th instant in which you ask to be advised if the provisions of Article 3, Section 32, of the Constitution requiring bills to be read on three several days is complied with by the reading of the caption instead of the entire contents of the bill. You also state that it has been the custom of the House of Representatives for many years to read only the captions of bills.

Section 4 of Rule 19 of the House of Representatives reads as follows:

"Bills introduced from the floor shall be read first time by caption and referred to the proper committee."

Section 14 of the same rule reads as follows:

"When a bill on second reading is before the House, it shall be read in full if demanded by any member, and this right cannot be denied him. When a bill is before the House on its third reading, any member may call for a full reading, but this reading may be dispensed with by a majority vote of the House."

It is a matter of common knowledge, as stated in your letter, that for many years the Legislature has construed the reading of the caption of a bill to be a sufficient compliance with the constitutional provision requiring a bill to be read. This custom has been of such long standing that it has become a part of the fixed rules of the Legislature, as shown from the rules above quoted.

It is our opinion that the fact that the Legislature has also adopted rules requiring the printing of bills and an opportunity given members to read the same before they are voted upon, coupled with the long-standing custom of reading only the caption, constitutes a sufficient compliance with the constitutional provisions by reading only the caption.

Authority for this view is found in the cases of Saunders vs. Board of Liquidation, 34 So. 457 (La.), and Mc-Clellan vs. Stein, 201 N. W. 209 (Mich.).

In the first case cited, the Supreme Court of Louisiana discussed the question in this language:

"Black, in his work on Constitutional | Law (page 326), refers to the word 'reading,' though he does so in connection with legislative action in connection with the enactment of 'statutes.' author says: 'The constitutions of many of the States require that a bill, before it shall become a law, shall be read a certain number of times (usually two or three) in each house. In respect to the manner of such reading, the provision is considered merely directory, but not with respect to the fact itself. If the constitution is obeyed in the latter particular, the statute is void. * * * Where the requirement is that the bill shall be read three times, it is the usual practice of legislative bodies to have it read twice by title merely and once at length, and this is considered sufficient to make its enactment lawful, unless the constitutional provision is so express as to make it imperative that each reading should be of the entire contents of the bill.'

"We do not understand that a constitutional requirement which simply declares in general terms that a 'bill' should be 'read' twice or three times in each house before it can be enacted into a law would carry with it the necessity of reading over each section of the bill at each reading, though the word 'bill' in its meaning covers 'the proposed legislation in its entirety."

In McClellan vs. Stein, supra, the Supreme Court of Michigan construed the provision of the constitution of that State providing that "every bill shall be read three times in each house before the final passage thereof." A rule of the House of Representatives of that hereby amended so as to read as follows: State reads as follows:

"Every bill shall receive three several readings previous to its passage. The first and second readings may be by its title only, but the third reading shall be in full unless otherwise ordered by the House."

In approving this House rule which did not require a full reading of the bill three times, the court simply quoted from an early decision of Michigan the following:

"The legislative practice of reading the same twice by title, and only once at length, has been maintained too long in this State to be now overthrown by the courts. * * * The constitution, in terms, does not direct that the reading shall be at length, and while such reading might be the better practice, we cannot hold that it is imperatively required

once in each house at length, as appears from the journals."

We see from the above that the supreme courts of two States have approved the custom and the rules of the legislatures in reading bills only by caption, and since we believe that the reasoning in these cases is applicable to the Texas Constitution, you are advised that the rules of the House of Representatives of Texas concerning the reading of bills are a sufficient compliance with Article 3, Section 32, of the Constitution.

> Yours very truly, H. GRADY CHANDLER, Assistant Attorney General.

This opinion has been considered in conference, approved, and is now ordered recorded.

CLAUDE POLLARD, Attorney General.

HOUSE BILL NO. 201 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 201, relative to registration fees on automobiles, on its passage to engross-ment, the bill having heretofore been read second time.

Mr. Holder offered the following amendment to the bill:

Amend House bill No. 201 by striking out all that which appears below the enacting clause and placing in lieu thereof the following:

Section 1. Article 7065 of the Revised Civil Statutes of 1925, as amended, is

Article 7065. Every person selling at wholesale in intrastate commerce in this State any gasoline shall pay to the State of Texas an occupation tax equal to three cents per gallon of all such gasoline so sold by such person. Such tax shall be due and payable at the office of the Comptroller at Austin on the 25th day of each month, based on such sales made during the calendar month next preceding. Every such person so selling gasoline shall, on or before the 25th day of each month, make and deliver to the Comptroller a report sworn to as correct by such person before an officer authorized to administer oaths in this State (or, if other than an individual, so sworn to by its president, secretary, treasurer or other duly authorized officer, or by its representative in charge of such intrastate sales of such gasothat it should be so read more than line), on such forms as said Comptroller once. This act, as it passed, was read shall prescribe, of the total number of

gallons of gasoline sold at wholesale in intrastate commerce in this State by such person during the next preceding calendar month. The words "selling at wholesale" or "sold at wholesale" or "sales at wholesale" as used in this law shall include the following only:

- 1. Any and all sales of gasoline in any quantity whatsoever in intrastate commerce in this State to the retailer to be sold by such retailer to the consumer in any quantity whatsoever.
- 2. Any and all sales to consumer in intrastate commerce in this State of gasoline produced, refined, compounded, manufactured, blended or prepared in this State where such sales are made by the person so producing, refining, compounding, manufacturing, blending or preparing same, whether such sales are made in such person's own name or in the name of another or in the name of a representative, agent or employe of such person.
- 3. Any and all sales in any quantity whatsoever to the consumer in intrastate commerce in this State of gasoline brought into the State from outside the State, except that gasoline which is sold in intrastate commerce to the retailer for sale to the consumer, the selling of which latter mentioned is covered by subdivision 1 hereof.
- 4. Any and all gasoline used or consumed in this State without sale by the person producing, refining, compounding, manufacturing, blending or preparing same in this State, except where same is used or consumed in interstate commerce.
- 5. Any and all gasoline used or consumed in this State without sale by the person bringing such gasoline into this State from outside the State, except where same is used or consumed in interstate commerce.

The foregoing shall not include sales to the United States government of gasoline for its own use. Failure of the Comptroller to furnish any person affected by this law with a form for any report required to be made by such person shall not relieve such person of liability for penalties for failure to comply with this law as to any such report. Every person required to pay said tax shall keep a complete record of all sales at wholesale made upon which the occupation tax herein levied is measured or computed, which record shall be in a permanently bound book or books (not loose leaf) and shall show the date of troleum or from natural gas or from any each such sale, the amount of same, to part. derivative, fraction or product of whom (except as to sales to the con-lipetroleum or natural gas; and shall also

umer) each such sale was made, from vhat place such gasoline was shipped, and the name of the place of delivery of ame. All of which records shall be open at all times to official inspection and examination of the Comptroller or the Attorney General or any authorized employee or representative of such Comptroller or Attorney General, Any such person failing to keep such record or records as herein required shall forfeit to the State as a penalty an amount not exceeding one thousand dollars; and for each day such person so fails to keep such record or records a separate penalty shall accrue. Any person required to pay an occupation tax by this law failing to pay such tax on or before the date same is due and payable, shall pay to the State as a penalty an additional ten per cent of the amount of the tax due on said date and such tax and penalty shall draw interest at the rate of eight per cent per annum from due date until paid.

Any person required to make any report under this law failing to make the same in the manner or within the time prescribed by this law shall forfeit to the State a penalty of not to exceed one thousand dollars. Such penalty shall draw eight per cent interest from due date until paid. The occupation taxes herein levied shall be placed in the State Treasury by the Comptroller as provided in this law immediately upon the collection of same. One-fourth of such occupation tax shall go to the available free school fund and three-fourths of same shall be placed to the credit of the State highway fund for the construction and maintenance of the public highways as designated by the State Highway Commission, and said funds shall be set aside in a separate fund from the general revenue fund for the two purposes herein mentioned, and shall be subject to disbursement in accordance with the statute controlling the distribution of such available school fund and State highway fund, respectively. The Attorney General shall bring suit in behalf of the State in any court of competent jurisdiction in Travis county to recover the amount of taxes, penalties and interest past due and payable by any person affected by this law. The word "gasoline" as used in this law means gasoline or gasoline substitute refined, compounded, manufactured, blended or prepared in whole or in part from peinclude gasoline produced in any manner; and shall also include "natural gasoline" if sold or used as commercial gasoline, and also any gasoline prepared in whole or part from "natural gasoline," and shall also include what is commercially known as gasoline produced, refined, compounded, manufactured, blended or prepared in whole or part from petroleum or from natural gas or from any part, derivative, fraction or product of petroleum or natural gas.

The word "person" as used in this law shall include persons, firms, partnerships, companies, corporations, associations, receivers, common law trusts, those operating under a declaration of trust, or other concern by whatsoever name known or howsoever organized, formed or created. It is the purpose and intent of this law to levy an occupation tax that will not operate to burden the industry with the tax every time any particular gasoline is sold, but to place the tax on only one transaction as to any particular gasoline, to the end that the tax will bear equally and uniformly on the gasoline industry.

- Sec. 2. Definition of Terms.—The following words and terms, as used herein, have the meanings respectively ascribed to them in this section as follows:
- (a) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon the public highways, except devices moved only by human power or used exclusively upon stationary rails or tracks.
- (b) "Motor vehicle" means every vehicle, as herein defined, that is self-propelled.
- (c) "Motorcycle" means every motor vehicle designed to propel itself on not more than three wheels in contact with the ground.
- (d) "Truck tractor" means every motor vehicle designed or used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.
- (e) "Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing other implements of husbandry.
- (f) "Road tractor" means every motor vehicle designed or used for drawing other vehicles or loads, and not so constructed as to carry a load independently or any part of the weight of the drawn load or vehicle.

- (g) "Trailer" means every vehicle designed or used to carry its load wholly on its own structure and to be drawn by a motor vehicle.
- (h) "Semi-trailer" means every vehicle of the trailer type so designed or used in conjunction with a motor vehicle that some part of its own weight and that of its load rests upon or is carried by another vehicle.
- (i) "Commercial motor vehicle" means any motor vehicle other than a motorcycle designed or used for the transportation of property.
- (j) "Passenger car" means any motor vehicle other than a motorcycle designed or used primarily for the transportation of persons.
- (k) "Department" means the State Highway Department or its duly authorized officers or agents.
- (1) "Owner" means any person who holds the legal title of a vehicle or who has the legal right of possession thereof, or the legal right of control of said vehicle.
- Sec. 3. Every owner of a motor vehicle, trailer, or semi-trailer shall apply each year to the State Highway Department through the county tax collector of the county in which he resides for the registration thereof for the ensuing or current calendar year or the unexpired portion thereof; provided, however, that owners of farm tractors and implements of husbandry operated or moved temporarily upon the highways shall not be required to register such tractors or implements.
- Sec. 4. Application for the registration of a new vehicle required to be registered hereunder shall he made on a form furnished by the Department; and each such application shall be signed by the owner of the vehicle and shall give his name and address in full, and shall contain a brief description of the vehicle to be registered. Said description in case of a new motor vehicle shall include: The trade name of the vehicle; the year model; the style of body and the weight if a passenger car, or the net carrying capacity and gross weights if a commercial motor vehicle; the motor number; whether new or used, and if new, the date of sale by manufacturer or dealer to the applicant. The application shall contain such other information as may be required by the Department. It is expressly provided, however, that the owner of a vehicle previously registered in this State, may in lieu of filing an

application as hereinbefore directed, present the license receipt, and transfer receipts if any, issued for the registration or transfer of the vehicle for the preceding calendar year, and said receipt shall be accepted by the county tax collector as an application for the renewal of the registration of the vehicle; provided, said receipts indicate that the applicant is the rightful owner thereof. Owners of motor vehicles, trailers and semi-trailers which are the property of, and used exclusively in the service of the United States govern-ment, the State of Texas, or any county or city thereof, shall apply annually to register all such vehicles, but shall not be required to pay the registration fees herein prescribed.

Application shall be made for the registration of a new vehicle for the unexpired portion of the year in which it is acquired before it is operated on the public highways; except that a new vehicle may be operated temporarily by a dealer under a dealer's license number or by its purchaser under a special dealer's cardboard number as provided in Chapter 211, General and Special Laws of the Regular Session of the Fortieth Legislature. Application for the renewal of registration of a vehicle for any calendar year shall be made not later than February 1 of that year and not earlier than December 1 of the next preceding calendar year, and during the month of January of any year it shall be lawful to operate a vehicle under the license and license plates issued therefor for the preceding year.

Sec. 5. The payment of the license fee prescribed herein for any vehicle shall become delinquent immediately upon the use of said vehicle on any public highway without said fee having been paid in accordance with this act. In the event the payment of any such fee has become delinquent on any such vehicle, no license or license number plates shall be issued therefor by any county tax collector unless the owner of said vehicle pay an additional charge equal to twenty (20) per cent of the total amount of said prescribed fee.

Sec. 6. Each application filed hereunder during the first quarter of a calendar year shall be accompanied by the full amount of the annual license fee herein prescribed. Application filed hereunder during the second, third and fourth quarter of the calendar year shall be accompanied, respectively, by threefourths, one-half and one-fourth of the amount of the annual license fees.

Sec. 7. The annual license fee for the registration of a motorcycle shall be five dollars.

The annual license fee for the registration of a passenger car shall be based upon the weight of the vehicle, as follows:

	Gross weight in pounds.	Fee per 100 pounds or fraction thereof.
ł	1 to 2000	30 cents
Į	2001 to 3000	
I	3001 to 4000	50 cents
I	4001 up	65 cents

The weight of any passenger car, for purposes of registration, shall be the weight generally accepted as its correct shipping weight plus 100 pounds.

Sec. 8. The annual license fee for the registration of a trailer and semi-trailer shall be based upon the gross weight and tire equipment of the vehicle, as follows:

Fee per 100 pounds or fraction thereof.

	Gross weight in pounds.	Equipped with	uippe id tii	Equipped with metal tires.
	1 to 6,000\$	0.40	\$0.50	\$1.00
	6,001 to 8,000	.50	.60	1.25
	8,001 to 10,000	.60	.70	1.50
	10,001 to 12,000	.70	.90	2.00
Į	12,001 to 14,000	.90	1.10	2.50
l	14,001 to 16,000	1.30	1.60	3.00
l	16,001 to 20,000	1.75	2.15	4.00
	20,001 up	4.00	5.00	6.00

The term "gross weight" as used in this section shall mean the actual weight of the vehicle fully equipped with body and other equipment, as certified by any official public weigher or any license and weight inspector of the State Highway Department, plus its net carrying capacity. "Net carrying capacity," as used in this section, shall be the weight of the heaviest net load to be carried on the vehicle registered; provided, said net carrying capacity shall in no case be less than the manufacturer's rated net carrying capacity.

Sec. 9. The provisions in Section 8 of this act shall not affect trailers and semi-trailers used exclusively in hauling cotton in port cities and operating only between the warehouse and shipside, but such trailers and semi-trailers, because of their use over private property, are

exempt from the payment of any license fee except the sum of three dollars (\$3) for each such trailer or semi-trailer. Sec. 10. The annual license fee for

the registration of a commercial motor vehicle, truck-tractor and road-tractor shall be based upon the gross weight and tire equipment of the vehicle, as follows:

> Fee per 100 pounds or fraction thereof.

		eight inds.	Equipped with pneumatic tires.	Equipped with solid rubber tires.	Equipped with metal tires.
1	to	4,0008	30	\$.40	\$.75
4,001	to		.40	.50	1.00
6,001	to	8,000	.60	.80	1.25
8,001	to	10,000	.80	1.00	1.50
10,001	to	12,000	1.00	1.25	2.00
12,001	to	14,000	1.25	1.50	2,50
14,001	to	16,000	1.60	2.00	3.00
16,001	to	18,000	2.00	2.50	3.75
18,001	to	20,000	2.50	3.25	4.50
20,001	to	22,000	3.25	4.00	5.50
22,001	up		4.00	5.00	6.50

Sec. 11. The Department shall compile and furnish to the county tax collector a complete and detailed schedule of license fees to be collected on the various makes, models and types of vehicles required to be registered hereunder; and the weight, net weight or gross weight of any vehicle required to be registered, as determined by the Department, shall be accepted as correct for registration purposes to the exclusion of any and all other purported weights of said vehicle.

Sec. 12. Apportionment of Funds.-On Monday of each week each county tax collector shall deposit in the county depository of his county to the credit of the county road and bridge fund the entire amount of net collections made hereunder during the preceding week until the amount so deposited for the current calendar year shall have reached a total sum of \$60,000.

Thereafter, and until the amount so deposited for the year shall have reached a total of \$300,000 he shall deposit to the credit of said fund on Monday of each week an amount equal to 50 per cent of net collections made hereunder

during the preceding week.

Thereafter, he shall make no further ing that calendar year. All collections num, which interest shall be charged to

made during any week under the provisions of this act in excess of the amounts required to be deposited to the credit of the road and bridge fund of his county shall be remitted by each county tax collector on each Monday of the succeeding week to the State Highway Department, together with a car-bon copy of each license receipt issued hereunder during the preceding week. He shall also on Monday of each week remit to the Department as now provided by law, all transfer fees and chauffeur's license fees collected by him during the preceding week, together with carbon copy of all receipts issued for said fees during the week. He shall also accompany all remittances to the Highway Department with a complete report of such collections made and disposition made thereof, the form and contents of said report to be prescribed by the State Highway Department. The failure, refusal or neglect of any county tax collector to comply with the provisions of this section shall constitute misconduct in office and shall be ground for his removal therefrom. None of the monies so placed to the credit of the road and bridge fund of a county shall be used to pay the salary, compensation or any expense account of a county judge or county commissioner, but all said monies shall be used for the construction and maintenance of lateral roads in such counties under the supervision of the county engineer, if there be one, and, if there is no such engineer, then the county commissioners court shall be authorized to command the services of the division engineer of the State Highway Department for the purpose of supervising the construction and surveying of lateral roads in their respective counties; it being further provided that the commissioners court shall at their first meeting in January of each year prepare a budget for the expenditure of such sums in the improvement, construction or maintenance of lateral roads other than State highways, a copy of which budget shall be filed with the State Highway Engineer and shall show the road or roads to be constructed, maintained and improved out of said fund and the amount to be expended on each road.

Sec. 13. All funds required by this act to be remitted to the State Highway Department which are not so remitted within thirty days after being collected shall thereafter bear interest Thereafter, he shall make no further for the benefit of the State highway deposits to the credit of said fund dur- fund at the rate of 10 per cent per an-

each county tax collector failing or refusing to remit such funds within said period of thirty days. The exact amount of said interest charge shall be determined by the State Highway Department by a careful audit of the collections received and disbursed by said tax collector pursuant to the laws relating to the registration and transfer of vehicles; and the State of Texas shall have a valid claim against the county tax collector and his official bondsmen for the amount of such interest as determined by said audit. It is hereby expressly provided that no county tax collector shall maintain more than one office at which vehicles may be registered under the provisions of this act, except that in counties in which there is located a city other than the city or town in which the court house is located having a population of 10,000 or more, the county tax collector of any such county may maintain one branch office for such purposes in said city.

Sec. 14. As compensation for his services under the provisions of this and other laws relating to the registration of vehicles and chauffeurs and the transfer of vehicles, each county tax collector shall receive a uniform fee of fifty cents for each of the first 1000 receipts issued by him each year pursuant to said laws; he shall receive a uniform fee of forty cents for each of the next 9000 receipts so issued; a uniform fee of thirty cents for each of the next 15,000 receipts so issued; and a uniform fee of twenty cents for each of the balance of said receipts so issued during the year. Said compensation shall be deducted weekly by each county tax collector from the gross collections made pursuant to this act and other laws relating to the registration of vehicles and chauffeurs and the transfer of vehicles. Out of the compensation so allowed county tax collectors, it is hereby expressly provided and required that they shall pay the entire expense of issuing all license receipts and number plates and chauffeur's badges issued pursuant thereto, including the cost of labor performed in issuing said receipts, number plates and badges and the cost of postage used in mailing same to the applicants.

Sec. 15. The Department shall issue, or cause to be issued, to the owner of each vehicle registered under the provisions of this act a license receipt, which shall indicate the date of its issuance, the license number assigned the registered vehicle, the name and address of the owner and such other information or statement of fact, as may be deter-

mined by the Department. Said license receipt shall at all times be in possession of the operator of the vehicle for which it is issued and shall be subject to inspection by any peace officer or license and weight inspector of the State Highway Department. The failure or refusal of the operator of any vehicle to display for inspection said receipt to any peace officer or license and weight inspector requesting it for inspection shall be a misdemeanor and the offender, upon conviction, shall be fined in any sum not exceeding two hundred dollars.

Sec. 16. The owner of a vehicle, the license receipt for which has been lost or destroyed, may obtain a duplicate thereof by filing with the State Highway Department or the county collector who issued the original receipt an affidavit that it has been lost or destroyed and by paying a fee of twenty-five cents for said duplicate.

Sec. 17. The Department shall issue, or cause to be issued, one number plate for each motorcycle, road tractor, trailer or semi-trailer, and two license number plates for every other vehicle registered under this act. In case one number plate is assigned to a vehicle, it shall be attached thereto at the rear thereof; and in case two are issued, one shall be attached at the front and one at the rear. Said plates shall be kept clearly visible and securely attached during the year for which they are issued. License number plates issued for vehicles required to be registered under the provisions of this act shall not be attached thereto before the beginning of the calendar year for which they are issued.

Sec. 18. (a) Any person who operates a passenger car or a commercial motor vehicle or truck tractor upon the public highways of this State during the month of January of any calendar year, without having displayed thereon and attached thereto two license number plates, one plate at the front and one at the rear, which have been duly and lawfully assigned for said vehicle for the current or next preceding calendar year, shall be guilty of a misdemeanor.

(b) Any person who so operates a passenger car, or commercial motor vehicle or truck tractor during the period from February 1st to December 31st, inclusive, of any calendar year, without two such license plates for the current year so displayed and attached, shall be guilty of a misdemeanor.

registered vehicle, the name and address (c) Any person who operates a road of the owner and such other information tractor, motorcycle, trailer or semior statement of fact as may be deter-trailer upon the public highways of this

State during the month of January of any calendar year, without having attached thereto and displayed at the rear thereof a license number plate duly and lawfully assigned therefor for the current year or next preceding calendar year, shall be guilty of a misdemeanor.

(d) Any person who operates a road tractor, motorcycle, trailer or semi-trailer during the period February 1st to December 31st, inclusive, of any calendar year, without having so displayed and attached a number plate duly and lawfully assigned therefor for the current calendar year, shall be guilty of a misdemeanor.

Any person convicted of a misde-meanor for a violation of this section shall be fined in any sum not exceeding two hundred dollars.

Sec. 19. Any person violating any provision of this act for the violation of which no other penalty is prescribed shall be deemed guilty of a misdemeanor and, on conviction, shall be fined in any sum not exceeding one hundred dollars.

Sec. 20. If any part of this act shall be declared unconstitutional or invalid, such declaration shall not affect the validity of the remainder of the act.

Articles 6675, 6676, 6677, Sec. 21. 6678, 6679, 6680, 6681, 6682, 6683, 6692 and 6697 of Chapter 1, Title 116, Revised Civil Statutes of 1925, and Article 6688, as amended by Chapter 211 of the General and Special Laws of the Regular Session of the Fortieth Legislature; and Article 6691, of Chapter 1, Title 116, Revised Statutes, 1925, as amended by Chapter 162, General and Special Laws of the Regular Session of the Fortieth Legislature; and Articles 807, 808, 809, 810, 811, 819 and 825, of Chapter 1, Title 13, of the Penal Code of Texas, 1925; and all other laws and parts of laws in conflict with this act are hereby repealed.

Sec. 22. This act shall take effect and be in force from and after January 1st, A. D. 1930.

Sec. 23. The repeal of any statute, or any portion thereof, by this act shall not affect or impair any act done, or right vested or accrued, or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution had or commenced shall remain in full force and effect to all intents and purposes as if such statute or part thereof so repealed by the amendment upon motor vehicles

the course of practice or procedure for the enforcement of such right, or the conducting of such proceeding, suit or prosecution shall be changed, the same shall be conducted as near as may be in accordance with the existing law. No offense committed and no liability, penalty or forfeiture, either civil or criminal, incurred prior to the time when any statute, or part thereof, shall be repealed or altered by this act, shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior statute, or part thereof, had not been repealed or altered, except as to procedure and practice.

Sec. 24. The fact that the people are in favor of the reduction in the motor vehicle registration fees and an increase in the gasoline tax as a more equitable and convenient method of financing the highways, and the further fact that the laws changed by this act need changing and straightening out as herein provided, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be, and the same is hereby, suspended and that this act shall take effect and be in force as hereinbefore provided, and it is so enacted.

Signed-Holder, Keller, Barnett.

Mr. Tillotson raised the following point of order:

I raise the point of order that this amendment should not be entertained for the reason that it clearly changes the purpose of House bill No. 201 as expressed in its caption and in its provisions; that the proposed amendment seeks to provide for the collection of an excise or occupation tax on gasoline, whereas the bill is a measure providing for a license fee upon motor vehicles operated on the highways of the State and collected under the police power. The rules are explicit upon this point, that a bill may not be so amended in its passage through the House as to change its purpose and character. (Constitution, Art. III, Sec. 30.)

Further, the amendment should not be entertained for the reason that parts of the measure each material in character and affecting its purpose have already been acted upon, namely, the amount of the registration fee sought to be imposed had remained in force except that where has already been definitely acted upon by the House by an amendment thereto, and the rules preclude further amendments.

Further, the amendment should not be entertained for the reason that the maximum allowed to be retained by any one county from fees authorized to be collected has been acted upon by amendment offered to the bill and may not now be further amended.

Signed—Tillotson, Petsch.

Mr. Pope of Jones moved the previous question on the point of order, and the main question was ordered.

Mr. Keller called for a division of the questions in the point of order.

Question—Shall the House sustain the first division of the point of order?

The House sustained the first division of the point of order by the following vote:

Yeas-76.

McDonald. Acker. McGill. Ackerman. Metcalfe. Albritton. Baker. Montgomery. Bateman. Morse. Mullally. Beck. Bond. Negley. Chastain. Olsen. Cex of Lamar. O'Neill. Cox of Limestone. Palmer. Dunlap. Petsch. Enderby. Pool. Ewing. Pope of Jones. Eickenroht. Quinn. Finlay. Ray. Fuchs. Reader. Giles. Reid. Harper. Renfro. Harrison. Rogers. Hefley. Rountree. Hines. Shaver. Hogg. Shelton. Sherrill. Hornaday. Hubbard. Simmons. Jenkins. Smith. Snelgrove. Johnson of Dimmit. Storey. Johnson of Smith. Strong. Thurmond. Justiss. Tillotson. Kayton. Van Zandt. Keeton. Kincaid. Veatch. Kinnear. Waddell. Lemens. Wallace. Long of Houston. Walters. Williams of Travis. Marks. Williams of Sabine. Martin. Mauritz. Woodall. Woodruff. Maynard.

Nays-36.

Anderson. Barnett.

Bounds. Keller. Brooks. Kemble. Carpenter. Kennedy. Coltrin. Mankin. Conway. McCombs. Cox of Navarro. Mehl. Davis. Patterson. Duvall. Pavlica. Finn. Pope of Nueces. Forbes. Purl. Gates. Richardson. Savage. Gerron. Gilbert. Shipman. Graves of Erath. Sinks. Hardy. Turner. Harding. Wiggs. Holder. Young.

Present-Not Voting.

Brice. Heaton. Stephens.

Absent.

Minor. Adkins. Bradley. Moore. Murphy. Graves of Williamson. Nicholson. Harman. Sanders. Hopkins. Speck. Johnson of Scurry. Stevenson. Tarwater. King. Thompson. Land. Lee. Warwick. Long of Wichita. Webb. White. Loy. McKean.

Absent—Excused.

Avis. Mosely.
Baldwin. Prendergast.
DeWolfe. Westbrook.
Jones. Williams
Kenyon. of Hardin.

Mr. Petsch moved to reconsider the vote by which the point of order was sustained and to table the motion to reconsider.

The motion to table prevailed.

Mr. Bond offered the following amendment to the bill:

Amend House bill No. 201, page 6, Section 11, by adding to line 18, after the word "thereof," the following:

"It shall be the duty of the tax collector of each county to require all applicants for the registration of motor vehicles upon which a registration, license or weight fee is now required to be paid, to state in which of the commissioners precincts of said county the owner resides, or in case of vehicles used for commercial or business purposes the precinct in which the principal business of the applicant

is situated or conducted; and the tax collector shall, in the report of his collection to the commissioners court of said county, show the amount of money collected from the several commissioners precincts on all such fees as shown by said application, and the county's portion of said moneys placed in the county depository to the credit of the road and bridge fund of that county shall be distributed to the respective precincts of said county in proportion to the amount paid in from each said precinct, and said money shall be used in said respective precincts for the purpose of the construction and maintenance of lateral roads; provided, that any surplus in any fund in a precinct which the commissioners court may determine is not needed in said precinct may be transferred to be used in some other precinct, but no such transfer shall be made unless the commissioner of the precinct from which said funds are to be transferred shall be present at the meeting of the court at which such action is taken and consent to and vote for said transfer."

On motion of Mr. Purl, the amendment was tabled.

Mr. Rountree offered the following amendment to the bill:

Amend House bill No. 201, page 6, by striking out all of Section 11 and substituting in lieu thereof the following:

"Sec. 11. Apportionment of Fees.-Until the fees for the registration of all motor vehicles paid hereunder for any registration year in any county shall have reached a total of \$50,000, all such fees shall be deposited on Monday of each week to the credit of the county road and bridge fund, after deducting therefrom the amount allowed hereunder as compensation to the county tax collector for the collection thereof; all sums collected from registration of passenger motor vehicles above \$50,000, exclusive of collection fees, shall be apportioned on a basis of one-half to the county and one-half to the State; provided, however, that no county shall receive in excess of the sum of \$200,000 collected hereunder, but that all sums in excess of said maximum, exclusive of collection fees, shall be paid to the State in the manner hereinafter provided."

Signed—Fuchs, Reid, Shipman, Baker, Renfro, Bounds, Shelton, Lemens, Rountree, Stephens, Finlay, Lee, Olsen, Johnson, Marks, Snelgrove, McDonald, Graves of Erath, Quinn, White.

Mr. Van Zandt raised a point of order on further consideration of the amendment on the ground that an amendment containing same subject has already been adopted by the House.

The Speaker overruled the point of

Question—Shall the amendment be adopted?

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 20, to the Committee on Public Health.

Senate bill No. 53, to the Committee on State Affairs.

Senate bill No. 59, to the Judiciary Committee.

Senate bill No. 109, to the Committee on Municipal and Private Corporations. Senate bill No. 134, to the Committee on Conservation and Reclamation.

HOUSE BILL NO. 77, WITH SENATE AMENDMENTS.

Mr. Metcalfe called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 77, A bill to be entitled "An Act to provide for the eradication, in the State of Texas, of the fever-carrying tick (Margaropus annulatus), and making it the duty of the inspectors of the Live Stock Sanitary Commission to supervise the dipping of cattle, horses, mules, jacks and jennets for the eradication of said fever-carrying tick (Margaropus annulatus), and authorizing and requiring said Commission to establish necessary quarantines for the purpose of controlling and restricting the movement of said live stock, and for the purpose of preventing the spread of said infection and exposure to said fever-carrying tick (Margaropus annulatus), and to eradicate the same, and requiring the commissioners courts to co-operate with said Commission in said work, and declaring an emergency."

The Speaker laid the bill before the

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Metcalfe moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, May 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

- S. B. No. 134, A bill to be entitled "An Act to create Brazoria County Drainage District Number Five (5), in Brazoria county, Texas; defining its boundaries, validating and approving all orders made by the commissioners court of Brazoria county in respect to the original organization and creation of said district as a drainage district under Article 3, Section 52, of the Constitution; converting said district, without change of name, to a conservation and reclamation district under Section 59 of Article 16 of the Constitution of the State of Texas, etc., and declaring an emergency."
- S. B. No. 20, A bill to be entitled "An Act amending Sections 3, 4, 14 and 20 of Chapter 41 of the Acts of the Fortieth Legislature, passed at its First Called Session, which act provides for a system of vital statistics, and which amendment provides for the formation of registration districts and for local registrars of births and deaths, and for deputy registrars, for the duties of such officers and their compensation, and declaring an emergency.'
- S. B. No. 53, A bill to be entitled "An Act authorizing the commissioners court in any county having a population of not less than 73,100 and not more than 73,300, as shown by the preceding Federal census, to purchase not exceeding two automobiles for the use by said assessor while actually engaged in the discharge of his official duties; and providing for reports of repairs thereon and maintenance, to be made to the county auditor, and limiting the amount to be expended for the purchase of said automobiles; and providing for the marking of said cars, and declaring an emergency.'
- S. B. No. 59, A bill to be entitled "An Act to amend Article 3689 of the Revised Civil Statutes of 1925, regulating the compensation of executors, administrators and testamentary trustees, and declaring an emergency."
- "An Act granting to and recognizing, 1 p. m. today.

ratifying and confirming authority of cities having a population of more than 150,000 and less than 160,000 at the time of taking the Federal census of 1920, and operating under provisions of the home rule act, the power to provide for annexing additional territory, according to such provisions as are contained in the charter of such city, etc., and declaring an emergency."

- H. B. No. 77, A bill to be entitled "An Act to provide for the eradication, in the State of Texas, of the fever-carrying tick (Margaropus annulatus), and making it the duty of the inspectors of the Live Stock Sanitary Commission to supervise the dipping of cattle, horses, mules, jacks and jennets for the eradication of said fever-carrying tick (Margaropus annulatus), and authorizing and requiring said Commission to establish necessary quarantines for the purpose of controlling and restricting the movement of said live stock, and for the purpose of preventing the spread of said infection and exposure to said fever-carrying tick (Margaropus annulatus), and to eradicate the same, and requiring the commissioners courts to co-operate with said Commission in said work, and declaring an emergency," with amendments.
- H. B. No. 105, A bill to be entitled "An Act conveying to the United States of America an easement for the construction of the intracoastal waterway over certain State-owned lands in Chambers and Galveston counties; provided further, that nothing in this act shall be construed to affect or impair any vested rights, or the right to use and maintain any bridge or bridges now in existence, and the right of the owner of any such bridge to use and maintain the same; providing for the reversion of said lands to the State of Texas under certain contingencies, and declaring an emergency.
- S. C. R. No. 8, Expressing appreciation to certain individuals for their courtesies tendered to members of the Approtions Committee of the House and the Finance Committee of the Senate.
- S. C. R. No. 9, Providing for the printing of appropriation bills.

Respectfully, MORRIS C. HANKINS, Assistant Secretary of the Senate.

RECESS.

On motion of Mr. Purl, the House, at S. B. No. 109, A bill to be entitled 12 o'clock m., took recess to 2 o'clock

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 201 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 201, relative to automobile registration fees, on its passage to engrossment, with amendment by Mr. Rountree pending.

Mr. Van Zandt offered the following amendment to the amendment:

Amend pending amendment by striking out the figures "20,000" and substitute in lieu thereof "75,000."

And strike out the figures "200,000" and substitute in lieu thereof the figures "300,000."

(Pending consideration of the amendment, Mr. McGill occupied the chair temporarily.)

Mr. Jenkins called for a division of the amendment,

Mr. Beck moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas-59.

Acker.	Mauritz.
Ackerman.	Minor.
Albritton.	Negley.
Baker.	Nicholson.
Beck.	Olsen.
Bounds.	O'Neill.
Brooks.	Palmer.
Carpenter.	Petsch.
Coltrin.	Pool.
Conway.	Pope of Jones.
Cox of Navarro.	Richardson.
Cox of Limestone.	Rogers.
Duvall.	Sanders.
Ewing.	Shaver.
Finlay.	Shelton.
Forbes.	Sherrill.
Hardy.	Simmons.
Heaton.	Sinks.
Hefley.	Stephens.
Hines.	Storey.
Hogg.	Strong.
Hornaday.	Turner.
Hubbard.	Veatch.
Justiss.	Wallace.
Keeton.	Walters.
Kincaid.	Warwick.
Kinnear.	Williams
Lee.	of Sabine.
Long of Houston.	Woodall.
Long of Wichita.	Woodruff.
Money of Williams	II COULUI.

Nays-66.

Adkins.	Martin.
Anderson,	Maynard.
Barnett.	McCombs.
Bateman.	McDonald.
Bond.	McGill.
Brice.	McKean.
Chastain.	Mehl.
Cox of Lamar.	Metcalfe.
Davis.	Montgomery.
Enderby.	Moore.
Eickenroht.	Morse.
Finn.	Mullally.
Fuchs.	Patterson.
Gates.	Pavlica.
Gerron.	Pope of Nueces.
Gilbert.	Purl.
Giles.	Quinn.
Graves of Erath.	Ray.
Harman.	Reader.
Harper.	Reid.
Harrison.	Renfro.
Holder.	Rountree.
Hopkins.	Savage.
Johnson	Shipman.
of Dimmit.	Smith.
Johnson of Smith.	Snelgrove.
Jones.	Speck.
Kayton.	Thurmond.
Keller.	Van Zandt.
Kemble.	Waddell.
Kennedy.	Webb.
King.	White.
Lemens.	Williams
Marks.	of Travis.
AL	4

Absent.

Bradley.	Mankin.
Dunlap.	Murphy.
Graves	Stevenson.
of Williamson.	Tarwater.
Harding.	Thompson.
Jenkins.	Tillotson.
Johnson of Scurry.	
Land.	Young.

Absent-Excused.

Avis.	Mosely.
	mroserà.
Baldwin.	Prendergast.
DeWolfe.	Westbrook.
Kenyon.	Williams
Lov	of Hardin

Question then recurring on the first division of the amendment, yeas and nays were demanded.

This section of the amendment was adopted by the following vote:

Yeas-80.

Ackerman,	Barnett.
Adkins.	Bateman.
Anderson.	Beck.
Baker.	Bounds.

Metcalfe. Brice. Chastain. Minor. Cox of Navarro. Cox of Lamar. Montgomery. Moore. Cox of Limestone. Morse. Mullally. Davis. Duvall. Olsen. Enderby. Palmer. Eickenroht. Patterson. Pavlica. Finn. Pope of Jones. Gerron. Pope of Nueces. Gilbert. Purl. Giles. Graves of Erath. Quinn. Ray. Reader. Harman. Harper. Harrison. Reid. Richardson. Heaton. Rountree. Hefley. Holder. Savage. Sherrill. Johnson of Dimmit. Shipman. Johnson of Smith. Smith. Snelgrove. Jones. Kayton. Speck. Keller. Strong. Thurmond. Kemble. Van Zandt. Kennedy. Waddell. King. Lemens. Webb. Long of Houston. White. Wiggs. Williams Marks. Martin. Maynard. of Sabine. Williams McCombs. McDonald. of Travis. McGill. Woodruff. Mehl.

Nays-42.

Acker. Long of Wichita. Mauritz. Albritton. McKean. Brooks. Carpenter. Negley. Nicholson. Coltrin. O'Neill. Conway. Ewing. Petsch. Pool. Finlay. Forbes. Rogers. Sanders. Fuchs. Hardy. Shaver. Shelton. Hines. Hogg. Hopkins. Simmons. Sinks. Hornaday. Stephens. Hubbard. Storey. Justiss. Turner. Keeton. Veatch. Kincaid. Walters. Warwick. Kinnear. Woodall. Lee.

Absent.

Bond. Gates. Bradley. Graves of Williamson. Dunlap.

Harding. Renfro. Jenkins. Stevenson. Johnson of Scurry. Tarwater. Thompson. Land. Mankin. Tillotson. Murphy. Young.

Absent-Excused.

Avis. Prendergast. Baldwin. Wallace. DeWolfe. Westbrook. Williams Kenyon. of Hardin. Loy. Mosely.

Mr. Purl moved to reconsider the vote by which this section of the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Question then recurring on the second division of the amendment, it was lost by the following vote:

Yeas-45.

McCombs. Anderson. McDonald. Beck. Bounds. Mehl. Chastain. Morse. Cox of Limestone. Negley. Davis. Patterson. Pavlica. Finn. Pope of Jones. Gerron. Purl. Gilbert. ·Quinn. Giles. Reader. Graves of Williamson, Reid. Graves of Erath. Rountree. Harman. Savage. Sherrill. Harrison. Holder. Shipman. Snelgrove. Johnson of Dimmit. Speck. Johnson of Smith. Thurmond. Van Zandt. Kayton. Webb. Keller. White. Kemble. Kennedy. Williams of Travis.

Nays-80.

Lemens.

Cox of Lamar. Acker. Enderby. Ackerman. Adkins. Ewing. Albritton. Eickenroht. Finlay. Baker. Barnett. Forbes. Fuchs. Bateman. Bond. Gates. Hardy. Brice. Brooks. Harper. Carpenter. Heaton. Hefley. Coltrin. Hines. Conway Cox of Navarro. Hogg.

Hopkins. Petsch. Hornaday. Pool. Pope of Nueces. Hubbard. Ray. Jenkins, Renfro. Jones. Justiss. Richardson. Keeton. Rogers. Kincaid. Sanders. Shaver. King. Kinnear. Shelton. Simmons. Lee. Long of Houston. Sinks. Stephens. Long of Wichita, Marks. Storey. Martin. Strong. Mauritz. Tillotson. Maynard. Turner. McGill. ${f Veatch}.$ McKean. Waddell. Metcalfe. Wallace. Minor. Walters. Montgomery. Warwick. Wiggs. Moore. Mullally. Williams Nicholson. of Sabine. Olsen. Woodall. Woodruff. O'Neill. Palmer.

Absent.

Bradley. Murphy.
Dunlap. Smith.
Duvall. Stevenson.
Harding. Tarwater.
Johnson of Scurry. Thompson.
Land. Young.

Absent—Excused.

Avis. Mosely.
Baldwin. Prendergast.
De Wolfe. Westbrook.
Kenyon. Williams
Loy. of Hardin.

Mr. Hardy moved to reconsider the vote by which this section of the amendment was lost, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas-80.

Acker. Brooks. Ackerman. Carpenter. Adkins. Coltrin. Conway. Cox of Navarro. Albritton. Baker. Barnett. Cox of Lamar. Cox of Limestone. Bateman. Bond. Enderby. Bounds. Eickenroht. Brice. Finlay.

Forbes. Mullally. Fuchs. Nicholson. Olsen. Gates. O'Neill. Giles. Hardy. Palmer. Petsch. Harper. Pope of Jones. Heaton. Ray. Renfro. Hefley. Hines. Richardson. Hogg. Hopkins. Rogers. Sanders. Hornaday. Hubbard. Shaver. Jenkins. Shelton. Justiss. Simmons. Sinks. Keeton. Kennedy. Stephens. Kincaid. Storey. Kinnear. Strong. Tillotson. Lee. Lemens. Turner. Long of Houston. Long of Wichita. Veatch. Waddell. Martin. Wallace. Mauritz. Walters. Warwick. McDonald. McGill. White. Wiggs. Williams McKean. Metcalfe. Minor. of Sabine. Montgomery. Woodall. Morse. Woodruff,

Nays-37.

Beck. McCombs. Mehl. Chastain. Davis. Moore. Finn. Negley. Patterson. Gerron. Gilbert. Pavlica. Purl. Graves of Williamson. Quinn. Graves of Erath. Reader. Harman. Reid. Rountree. Harrison. Savage. Holder. Sherrill. Johnson of Dimmit. Shipman. Johnson of Smith. Snelgrove. Speck. Kayton. Thurmond. Kemble. King. Van Zandt. Marks. Webb. Maynard.

Present-Not Voting.

Ewing.

Absent.

Anderson.

Bradley.

Dunlap.

Duvall.

Harding.

Johnson of Scurry.

Keller.

Land.

Murphy.

Pool.

Pope of Nueces.

Smith.

Stevenson.

Tarwater. Thompson. Williams of Travis. Young.

Absent-Excused.

Avis.
Baldwin.
DeWolfe.
Jones.
Kenyon.

Loy.

Mosely. Prendergast. Westbrook. Williams of Hardin.

Mr. Kayton offered the following amendment to the amendment:

Amend the amendment to House bill No. 201, page 6, by substituting the figures "255,000" for "200,000" wherever same appear.

Signed-Kayton, Quinn, Purl, Graves of Erath, Snelgrove.

Mr. Pope of Jones moved the previous question on the pending amendment to the amendment, and the main question was ordered.

Question first recurring on the amendment to the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas-76.

Adkins. Kayton. Albritton. Keller. Kemble. Anderson. Baker. Kennedy. Barnett. King. Beck. Lemens. Bounds. Marks. McCombs. Brice. Chastain. McDonald. Coltrin. McGill. Mehl. Conway. Cox of Navarro. Metcalfe. Cox of Lamar. Minor. Moore. Davis. Dunlap. Morse. Duvall. Mullally. Enderby. Negley. Ewing. Palmer. Finn. Patterson. Pavlica. Forbes. Pope of Jones. Gerron. Pope of Nueces. Gilbert. Purl. Giles. Graves Quinn. of Williamson. Ray. Graves of Erath. Reader. Harman. Reid. Richardson. Harrison. Hefley. Rogers. Hines. Rountree. Holder. Savage. Johnson Shelton. of Dimmit. Sherrill. Johnson of Smith. Shipman. Justiss. Smith.

Snelgrove.
Speck.
Tarwater.
Thurmond.
Turner.
Van Zandt.
Wallace.

Walters.
Webb.
Wiggs.
Williams
of Sabine.
Williams
of Travis.

Nays-43.

Long of Houston. Long of Wichita. Acker. Ackerman. Bateman. Martin. Bond. Mauritz. Maynard. McKean. Brooks. Carpenter. Montgomery. Cox of Limestone. Nicholson. Eickenroht. Finlay. O'Neill. Fuchs. Pool. Hardy. Renfro. Harper. Sanders. Heaton. Shaver. Hogg. Simmons. Hopkins. Stephens. Hornaday. Stevenson. Storey. Hubbard. Jenkins. Veatch. Jones. Waddell. Keeton. Warwick. Kincaid. Woodall. Woodruff. Lee.

Absent.

Bradley. Olsen.
Gates. Petsch.
Harding. Sinks.
Johnson of Scurry. Strong.
Kinnear. Thompson.
Land. Tillotson.
Mankin. White.
Murphy. Young.

Absent-Excused.

Avis.
Baldwin.
DeWolfe.
Kenyon.
Loy.
Mosely.
Prendergast.
Westbrook.
Williams
of Hardin.

Mr. Kayton moved to reconsider the vote by which the amendment to the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Question then recurring on the amendment as amended, yeas and nays were demanded.

The amendment as amended was adopted by the following vote:

Yeas-98.

Mr. Speaker. Ackerman. Adkins. Albritton. Baker. Barnett.

	
Bateman.	McCombs.
Bond.	McGill.
Bounds.	Mehl.
Brice.	Metcalfe.
Carpenter.	Minor.
Chastain.	Moore.
Coltrin.	Morse.
Conway	Mullally.
Cox of Navarro	Negley.
Cox of Lamar	Palmer.
Conway. Cox of Navarro. Cox of Lamar. Cox of Limestone.	Patterson.
Davis.	Pavlica.
Dunlap.	Pone of Iones
Enderby.	Pope of Jones. Pope of Nueces.
Eickenroht.	Purl.
Finn.	Quinn.
Forbes.	
Fuchs.	Ray. Reader.
Gerron.	Reid.
Gilbert.	
	Renfro.
Giles. Graves of Erath.	Richardson.
Uarman	Rogers.
Harman.	Sanders.
Harper.	Savage.
Harrison.	Shaver.
Heaton.	Shelton.
Hefley.	Sherrill.
Hines.	Shipman.
Holder.	Sinks.
Jenkins.	Snelgrove.
Johnson	Speck.
of Dimmit.	Stephens.
Johnson	Stevenson.
of Smith.	Storey.
Jones.	Tarwater.
Justiss.	Thurmond.
Kayton.	Tillotson.
Keeton.	Veatch.
Keller.	Waddell.
Kemble.	Walters.
Kennedy.	Warwick.
Kincaid.	Webb.
King.	Wiggs.
Kinnear.	Williams
Lee.	of Sabine.
Long of Houston.	Williams
Marks.	of Travis.
Martin.	Woodall.
Maynard.	Woodruff.

Nays-14.

Acker.	Hubbard.
'Beck	Long of Wichita
Brooks.	Mauritz.
Finlay.	Montgomery.
Hardy.	O'Neill.
Hogg.	Pool.
Hogg. Hopkins.	Simmons.

Present-Not Voting.

Ewing.

Absent.

Anderson.	Duvall.
Bradley.	Gates.

Graves of Williamson. Harding. Hornaday. Johnson of Scurry. Land. Lemens. Mankin. McDonald. McKean. Murphy.	Nicholson. Olsen. Petsch. Rountree. Smith. Strong. Thompson. Turner. Van Zandt. White.
Murphy.	Young.

Absent-Excused.

Avis.	Prendergast.
Baldwin.	Wallace.
DeWolfe.	Westbrook.
Kenyon.	Williams
Loy.	of Hardin.
Moselv	

Mr. Rountree moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Barnett offered the following amendment to the bill:

Amend House bill No. 201, page 5, by adding a new section at the end of Section 9, which shall be known as Section 9a:

"Sec. 9a. All motor busses operating in this State under the supervision of the Railroad Commission shall, at the time of paying registration fees on a weight basis as provided for in this act, pay an additional fee of four dollars for each passenger such vehicle will seat; three-fourths of the moneys derived from the payment of these fees shall go into the fund of the Highway Department and one-fourth to be placed to the credit of the school fund."

Mr. Gates moved to table the amendment.

Mr. Purl raised a point of order on further consideration of the amendment on the ground that it violates certain provisions of the Constitution.

The Speaker declined to rule on the point of order, stating that he would submit the matter to the House for its decision.

Question—Shall the House sustain the point of order?

The House sustained the point of order by the following vote:

Yeas-93.

Acker.	Beck.
Ackerman.	Bond.
Adkins.	Bounds.
Albritton.	Brooks.
Acker. Ackerman. Adkins. Albritton. Baker.	Carpenter.

Chastain. McDonald. Coltrin. McGill. Conway. Cox of Navarro. Mehl. Minor. Cox of Lamar. Moore. Cox of Limestone. Morse. Davis. Mullally. Duvall. Negley. Enderby. Nicholson. Ewing. Olsen. Eickenroht. Palmer. Finn. Patterson. Finlay. Pavlica. Forbes. Petsch. Pool. Fuchs. Pope of Jones. Gates. Gerron. Purl. Gilbert. Quinn. Ray. Giles. Reader. Graves of Williamson. Reid. Graves of Erath. Richardson. Harper. Savage. Harrison. Shaver. Sherrill. Hefley. Hogg. Hopkins. Shipman. Simmons. Hubbard. Snelgrove. Johnson Speck. of Dimmit. Storey. Johnson Strong. of Smith. Tarwater. Justiss. Thurmond. Tillotson. Kayton. Keller. Van Zandt. Kemble. Veatch. Kennedy. Wallace. Walters. Kinnear. Lee. Warwick. Webb. Lemens. Long of Houston. White. Wiggs. Marks. Woodruff. Mauritz. McCombs.

Nays-7.

Barnett. Jenkins. King. Martin. Shelton. Williams of Sabine. Woodall.

Present-Not Voting.

Bateman. Hardy. Heaton. Jones. Rogers. Sinks. Williams of Travis.

Absent.

Anderson.
Bradley.
Brice.
Dunlap.
Harding.
Harman.
Hines.

Holder. Hornaday. Johnson of Scurry. Keeton. Kincaid. Land.

Long of Wichita.

Mankin. Rountree. Maynard. Sanders. McKean. Smith. Metcalfe. Stephens. Montgomery. Stevenson. Murphy. Thompson. O'Neill. Turner. Pope of Nueces. Waddell. Renfro. Young.

Absent—Excused.

Avis. Baldwin. DeWolfe. Kenyon. Loy. Mosely.
Prendergast.
Westbrook.
Williams
of Hardin.

Mr. Kemble offered the following amendment to the bill:

Amend House bill No. 201, page 7, Section 13, line 16, by striking out all of said section after the word "audit."

Signed-Kemble, Morse, Keller, Patterson.

The amendment was adopted.

Mr. Bond offered the following amendment to the bill:

Amend House bill No. 201, Section 12, page 6, by striking out all following the word "commissioner" in line 37; strike out all of lines 38 and 39 on page 6, and all of lines 1 and 2 on page 7, and insert the following: "all of such fund shall be available and be expended by the commissioners court in the following order:

"First. Toward the payment and retirement of outstanding county road bonds existing at time of taking effect of this act;

"Second. Toward the payment and retirement of outstanding precinct or road district bonds of the county outstanding at time this act takes effect; such payment and retirement of such bonds to be made in the proportion the fees paid in from each precinct bears to the entire fees paid in from all the precincts; if any precinct has no outstanding bonds, then the amount of fees as shall be apportioned to such precinct shall be expended on the roads of such precinct or of the county, as in the judgment and discretion of the commissioners court may deem for the best interests of the public;

Third. Toward the building and improving the lateral roads of any precinct or of the county, as in the judgment of the commissioners court may deem best for the public roads."

Mr. Petsch raised a point of order on

further consideration of the amendment on the ground that it violates certain provisions of the Constitution.

The Speaker overruled the point of order.

Mr. Sinks moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yess-82.

Adkins. McGill. Baker. Mehl. Bateman. Minor. Beck. Montgomery. Brooks. Moore. Chastain. Morse. Coltrin. Mullally. Conway. Negley. Cox of Limestone. Olsen. Davis. O'Neill. Dunlap. Palmer. Ewing. Petsch. Eickenroht. Pope of Jones. Quinn. Forbes. Ray. Fuchs. Gates. Reader. Giles. Reid. Richardson. Graves of Williamson. Rountree. Graves of Erath. Sanders. Hardy. Shaver. Harding. Shelton. Harman. Sherrill. Harper. Sinks. Hefley. Smith. Hines, Snelgrove. Hogg. Stephens. Hornaday. Storey. Jenkins. Strong. Johnson Tarwater. Thurmond. of Dimmit. Justiss. Tillotson. Kayton. Turner. Keeton. Van Zandt. Keller. Waddell. Kemble. Wallace. Kennedy. Warwick. Kincaid. White. Long of Wichita. Wiggs. Marks. Williams Mauritz. of Travis. Woodruff. Maynard. McCombs.

Nays-31.

Ackerman. Enderby. Albritton. Finn. Bond. Finlay. Bounds. Harrison. Brice. Heaton. Carpenter. Holder. Cox of Lamar. Johnson of Smith. Duvall. Jones.

King. Shipman. Lee. Simmons. Mankin. Speck. Veatch. McDonald. Nicholson. Webb. Pavlica. Williams Renfro. of Sabine. Woodall. Rogers. Savage.

Absent.

Acker. Long of Houston. Anderson. Martin. Barnett. McKean. Bradley. Metcalfe. Cox of Navarro. Murphy. Gerron. Patterson. Gilbert. Pool. Hopkins. Pope of Nueces. Hubbard. Purl. Johnson of Scurry. Stevenson. Kinnear. Thompson. Land. Walters. Lemens. Young.

Absent—Excused.

Avis. Mosely. Baldwin. Prendergast. DeWolfe. Westbrook. Kenyon. Williams Loy. of Hardin.

Mr. Van Zandt offered the following amendment to the bill:

Amend House bill No. 201, on page 7, line 1, by adding the word "or" before the words "for improving."

The amendment was adopted.
Mr. Kincaid offered the following amendment to the bill:

Amend House bill No. 201, page 3, line 7, by inserting after the word "tractors" the word "trailers"; also, line 9, page 3, after "tractors," insert "trailers."

The amendment was adopted.

Mr. Petsch moved the previous question on the amendments on the Speaker's table, and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Jones offered the following amendment to the bill:

Amend House bill No. 201, page 9, Section 19a, line 1, by adding after the word "State" the following words, "at any time"; also, Section 19b, line 8, by adding after the word "truck-tractor" the following words, "at any time"; also Section 19c, line 13, by adding after the word "State" the following words, "at any time"; also Section 19d, line 20, by adding after the word "semi-trailer" the following words, "at any time."
Signed—Jones, Johnson of Dimmit:

The amendment was adopted.

Mr. Gilbert offered the following amendment to the bill:

Amend House bill No. 201, on page 4. line 4, by adding after the word "city" the words "or school districts."

The amendment was adopted.

Mr. Petsch offered the following amendment to the bill:

Amend House bill No. 201, Section 8, page 5, by adding after line 8 the subsection to be known as Section 8a, to read as follows:

"Annual license fees for the registration of motor busses shall be based upon the gross weight of the vehicle as fol-

> Fee per 100 pounds or fraction thereof.

		reight unds.	Equipped with pneumatic tires.	Equipped with solid tires.
1	to	4,000	. \$1.10	\$1.25
4,001	to	6.000	1.15	1.40
6,001	to	8,000	1.30	1.50
8,001	to	16,000	1.40	1.60
16,001	to	24,000	. 1.40	1.75
24,001	to	28,000	. 1.40	2.00
28,001				3.00
	. 1		,00	3.00

"The term 'gross weight' as used in this section shall mean the actual weight of the vehicle fully equipped with body and other equipment as certified by any license and weight inspector of the State Highway Department plus its net 'carrying capacity.' The net carrying capacity of a motor bus shall be computed by multiplying the seating capacity by one hundred fifty (150) pounds. The seating capacity of any such vehicle shall be the manufacturer's rated seating capacity, exclusive of the driver or operator's seat. The seating capacity of any such vehicle not rated by the manufacturer shall be determined by allowing one (1) passenger for each sixteen (16) inches, exclusive of the driver or operator's seat.

"The taxes herein levied shall be in lieu of the seat tax now being collected under Article 820 of the Penal Code by the statutes of 1925, and said tax is hereby expressly repealed."

Mr. Jenkins offered the following substitute for the amendment:

Amend the bill by changing the figures as set out in lines 19 to 26, inclusive, page 5, as follows:

In the second column, change the fig-

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to ".75"; change the figures ".70"
"1.00"; change the figures ".90"
                                           to
"1.20"; change the figures "1.20"
"1.50";
"2.00";
         change the figures "1.60" change the figures "4.00"
                                           to
"5.00."
```

In the third column, change the figures ".50" to ".60"; change the figures ".60" to ".65"; change the figures ".70" to ".85"; change the figures ".90" to "1.10"; change the figures "1.20" to "1.30"; change the figures "1.60" to change the figures "1.60" to "1.30"; "2.00"; change the figures "2.00" to "2.10"; change the figures "5.00" to "5.10."

In the fourth column, change the figures ".60" to ".70"; change the figures "1.00" to "1.10"; change the figures "1.25" to "1.35"; change the figures "1.50" to "1.65"; change the figures "2.00" to "2.20"; change the figures "2.50" to "2.75"; change the figures "3.00" to "3.30"; change the figures "6.00" to "6.50."

Question-Shall the substitute amendment be adopted?

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Long of Houston and Mr. Strong:

H. B. No. 229, A bill to be entitled "An Act amending Section or Subdivision 3, of Article 199, of the Revised Civil Statutes of 1925, and changing the times of holding the terms of the district court in the Third Judicial District of Texas; enacting necessary provisions in reference to processes, writs, bonds, recognizances and in reference to grand and petit jurors made necessary by the changes made by this act, and validating and legalizing the same; enacting proper provisions relative to the continuance of any term of this court in session when this act takes effect, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Purl:

H. B. No. 230, A bill to be entitled "An Act prohibiting the issuance or circulation of any illustration, circular or statement misrepresenting the terms of any policy of life insurance, or any misleading estimate of the dividends or adures ".40" to ".50"; change the figures vantages of such policy, or the use of ".50" to ".55"; change the figures ".60" any name or title of any policy, or class

of policies, misrepresenting the true nature thereof, or making any misleading representation or incomplete comparison of any policies for the purpose of inducing or tending to lapse, forfeit or surrender any policy of insurance; providing that the Board of Insurance Commissioners may revoke the certificate of authority issued to any corporation or agent violating any of the provisions of this act, and declaring an emergency." Referred to Committee on Insurance.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 77.

The Speaker announced the following free conference committee on House bill

Messrs. Metcalfe, Stevenson, Dunlap, Jones and Ackerman.

MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, May 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for the appointment of a free conference committee to adjust the differences on House bill No. 77. The following are appointed as conferees on the part of the Senate:

Senators Parr, Stevenson, Woodul, Berkeley and Witt.

Respectfully, MORRIS C. HANKINS, Assistant Secretary of the Senate.

RECESS.

Mr. Anderson moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Morse moved that the House recess to 8 o'clock p. m. today.

Mr. Holder moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Kemble moved that the House re-

cess until 7:30 o'clock p. m. today.

The motion of Mr. Morse prevailed, and the House accordingly, at 6:20 o'clock p. m., took recess to 8 o'clock p. m. today.

NIGHT SESSION.

The House met at 8 o'clock p. m., and was called to order by the Speaker.

Mr. Fuchs moved a call of the House for the purpose of maintaining a quorum until 10 o'clock p. m. today

Mr. Sanders moved a call of the House for the purpose of maintaining a quo- the bill.

rum pending consideration of House bill No. 201.

Mr. Albritton moved a call of the House for the purpose of securing and maintaining a quorum.

The motion of Mr. Albritton prevailed.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

COMMUNICATION FROM EXECU-TIVE MANSION.

The Speaker laid before the House and had read the following communication:

> Executive Department, Austin, Texas, May 15, 1929.

Out of respect to the memory of the late Governor Sayers, the lawn party which was planned for Thursday evening, May 16th, Executive Mansion, has been postponed.

Governor and Mrs. Moody will be at home the early part of next session to the members of the Legislature and their families.

BILLS ORDERED NOT PRINTED.

On motion of Mr. McCombs, Senate bills Nos. 99 and 100 were ordered not printed.

On motion of Mr. Kayton, Senate bill No. 104 was ordered not printed.

On motion of Mr. Petsch, House bill No. 217 was ordered not printed.

On motion of Mr. Smith, Senate bill No. 111 was ordered not printed.

On motion of Mr. Nicholson, Senate bill No. 109 was ordered not printed.

HOUSE BILL NO. 201 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 201, relative to automobile registration fees, on its passage to engrossment, with amendment by Mr. Petsch and substitute amendment by Mr. Jenkins pending.

Mr. Beck raised a point of order on further consideration of the substitute amendment on the ground that the substitute amendment was not germane to

The Speaker overruled the point of order.

On motion of Mr. Purl, the substitute amendment was tabled.

Question then recurring on the amendment by Mr. Petsch, it was adopted by the following vote:

Yeas-66.

Mr. Speaker. Marks. Mauritz. Ackerman. Albritton. McGill. McKean, Baker. Metcalfe. Beck. Brice. Minor. Carpenter. Montgomery. Chastain. Morse. Coltrin. Nicholson. Conway. Olsen. Cox of Lamar. Cox of Limestone. Petsch. Quinn. Duvall. Ray. Enderby. Rogers. Ewing. Rountree. Finn. Sanders. Forbes. Savage. Fuchs. Shaver. Gilbert. Sherrill. Smith. Graves of Williamson. Stephens. Graves of Erath. Tarwater. Harper. Van Zandt. Heaton. Veatch. Hines. Wallace. Warwick. Hogg. Webb. Johnson Wiggs. of Dimmit. Johnson of Smith. Williams of Sabine. Justiss. Williams Kayton. Lee. of Travis. Woodall. Long of Houston. Long of Wichita. Woodruff. Mankin. Young.

Nays-38.

Maynard. Adkins. McCombs. Anderson. McDonald. Barnett. Moore. Bateman. Negley. Bond. Pavlica. Bounds. Pope of Jones. Davis. Purl. Eickenroht. Reid. Gerron. Harrison. Renfro. Richardson. Hopkins. Hubbard. Shelton. Shipman. Jones. Keller. Simmons. Kennedy. Snelgrove. Kincaid. Speck. Storey. King. Turner. Kinnear. White. Lemens.

Present-Not Voting.

Hornaday.

Absent.

Acker. Lov. Mehl. Bradley. Mulially. Brooks. Cox of Navarro. Murphy. Dunlap. O'Neill. Palmer. Finlay. Patterson. Gates. Giles. Pool. Pope of Nueces. Hardy. Reader. Harding. Harman. Sinks. Hefley. Stevenson. Holder. Strong. Thompson. Jenkins. Johnson of Scurry. Thurmond. Keeton. Tillotson. Kemble. Waddell. Land. Walters.

Absent-Excused.

Avis. Mosely.
Baldwin. Prendergast.
DeWolfe. Westbrook.
Kenyon. Williams
Martin. of Hardin.

Mr. Graves of Erath offered the following amendment to the bill:

Amend House bill No. 201, Section 9, line 23, by striking out the figures "90 cents" and insert in lieu thereof the figures "\$1"; strike out "\$1.20" and insert in lieu thereof the figures "\$1.30"; strike out "\$2" and insert in lieu thereof "\$2.10"; by striking out in line 24 the figures "\$1.20" and insert in lieu thereof the figures "\$1.50"; strike out "\$1.60" and insert in lieu thereof the figures "\$1.90"; strike out "\$2.50" and insert in lieu thereof the figures "\$1.80" and insert in lieu thereof the figures "\$1.80" and insert in lieu thereof the figures "\$2.80"; by striking out in line 25 the figures "\$1.60" and insert in lieu thereof the figures "\$2.40"; strike out the figures "\$3' and insert in lieu thereof the figures "\$3.40"; by striking out in line 26 the figures "\$4" and insert thereof the figures "\$5"; strike out the figures "\$5" and insert in lieu thereof the figures "\$5" strike out the figures "\$5" and insert in lieu thereof the figures "\$6" and insert in lieu thereof the figures "\$7."

Mr. Petsch offered the following substitute for the amendment:

Amend House bill No. 201, page 5, Section 9, by striking out all of said section and inserting in lieu thereof the following:

"The annual license fees for the registration of trucks, operating under the

jurisdiction of the Railroad Commission, truck-tractors, road-tractors, shall be based upon the gross weight and tire equipment of the vehicle, as follows:

Per 100 pounds, or fraction thereof.

		eight ınds.	Equipped with pneumatic tires.	Equipped with solid tires.	Equipped with metal tires.
1	to	4,000	\$1.10	\$.80	\$.90
4,001	to	6,000	1.15	.90	1.30
6,001	to	10,000	1.30	1.00	1.55
10,001	to	12,000	1.40	1.20	1.80
12,001	to	16,000	1.40	1.50	2.30
16,001	to	20,000	1.50	1.90	2.80
20,001	to	26,000	2.00	2.30	3.30
26,001	up		5.20	5.00	6.00

"The term 'gross weight' as used in this section shall mean the actual weight of the vehicle fully equipped with body and other equipment as certified by an official public weigher or any license and weight inspector of the State Highway Department, plus its net carrying capacity; 'net carrying capacity' weight of the heaviest net load to be carried on the vehicle registered; provided, that no vehicle shall be registered for a lesser capacity; provided, that on all other motor vehicles except motor busses or passenger cars defined in this act the registration fees shall be sixty-five (65) per cent of the fees herein levied upon the vehicle described in the first paragraph of Section 9 hereof."

Mr. Barnett moved the previous question on the pending amendments on the Speaker's table and the bill, and the motion was duly seconded.

Question then recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

Yeas-81.

Ackerman.	Davis.
Baker.	Duvall.
Barnett.	Enderby.
Bateman.	Ewing.
Bond.	Finlay.
Brice.	Forbes.
Carpenter.	Fuchs.
Chastain.	Gerron.
Coltrin.	Gilbert.
Conway.	Graves of Erath.
Cox of Lamar.	Hardy.
Cox of Limestone.	Harper.

Heaton.	Pope of Jones.
Hefley.	Quinn.
Hines.	Reid.
Holder.	Richardson.
Hopkins.	Rogers.
Hubbard.	Rountree.
Jenkins.	Sanders.
Johnson of Smith.	Shelton.
Jones.	Shipman.
Justiss.	Simmons.
Kayton.	Smith.
Keeton.	Snelgrove.
Keller.	Speck.
Kinnear.	Stevenson.
Lee.	Storey.
Lemens.	Tarwater.
Long of Houston.	Van Zandt.
Marks.	Veatch.
Mauritz.	Wallace.
Maynard.	Wanace. Warwick.
McCombs.	Webb.
McDonald.	White.
McGill.	Williams
Metcalfe.	of Sabine.
Minor.	Williams
Montgomery.	of Travis.
Moore.	Woodall.
Pavlica.	Woodruff.
Pool.	Young.

Nays-22.

Albritton.	Kincaid.
Anderson.	King.
Beck.	Long of Wichita.
Bounds.	Mankin.
Bounds. Eickenroht. Finn.	McKean.
Finn.	Nicholson.
Graves	Petsch.
of Williamson.	Ray.
Harrison.	Renfro.
Johnson	Savage.
of Dimmit.	Turner.
Kennedy.	Wiggs.

Present-Not Voting.

Mr. Speaker.

Absent.

Acker. Adkins. Bradley. Brooks. Cox of Navarro. Dunlap. Gates. Giles. Harding. Harman. Hogg. Hornaday. Johnson of Scurry.	Mosely. Mullally. Murphy. Negley. Olsen. O'Neill. Palmer. Patterson. Pope of Nueces. Purl. Reader. Shaver.
Johnson of Scurry.	
Kemble. Land.	Sinks. Stephens.
Mehl. Morse.	Strong.
INTOLRE.	Thompson.

Thurmond. Tillotson.

Waddell. Walters.

Absent-Excused.

Avis. Baldwin. DeWolfe. Kenyon. Loy.

Martin. Prendergast. Westbrook. Williams of Hardin.

Mr. Rountree moved a call of the House for the purpose of securing and maintaining a quorum pending consideration of House bill No. 201, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The call of the House was ordered by the following vote:

Yeas-58.

Mr. Speaker. McCombs. Ackerman. McDonald. McGill. Baker. Barnett. McKean. Beck. Metcalfe. Brice. Minor. Moore. Chastain. Coltrin. Morse. Conway. Petsch. Cox of Limestone. Pope of Jones. Purl. Dunlap. Richardson. Enderby. Rountree. Ewing. Finn. Sanders. Fuchs. Shaver. Graves of Erath. Shelton. Sherrill. Hardy. Simmons. Harper. Smith. Heaton. Hornaday. Stevenson. Storey. Tillotson. Jenkins. Johnson Turner. of Dimmit. Van Zandt. Keeton. Kemble. Veatch. Wallace. Kinnear. White. Lee. Long of Wichita. Williams of Travis. Martin.

Nays--52.

Mauritz.

Finlay.

Woodall.

Forbes. Albritton. Anderson. Gerron. Bateman. Gilbert. Graves Bond. of Williamson. Bounds. Harrison. Carpenter. Cox of Lamar. Hefley. Davis. Hines. Duvall. Holder. Eickenroht. Hubbard. Johnson of Smith.

Jones. Quinn. Justiss. Ray. Kayton. Renfro. Keller. Rogers. Kennedy. Savage. Kincaid. Shipman. King. Snelgrove. Long of Houston. Speck. Mankin. Tarwater. Marks. Warwick. Maynard. Webb. Wiggs. Montgomery. Williams Nicholson. Olsen. of Sabine. Pavlica. Woodruff. Pool. Young. Pope of Nueces.

Absent.

Acker. Mullally. Adkins. Murphy. Bradley. Negley. Brooks. Cox of Navarro. O'Neill. Palmer. Gates. Patterson. Giles. Reader. Harding. Reid. Sinks. Harman. Stephens. Hogg. Hopkins. Strong. Johnson of Scurry. Thompson. Thurmond. Land. Waddell. Lemens. Walters. Mehl.

Absent-Excused.

Mosely. Avis. Baldwin. Prendergast. DeWolfe. Westbrook. Williams Kenyon. of Hardin. Loy.

The Speaker then directed the Doorkeeper to lock the main entrance to the Hall and directed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. McCombs, the Sergeant-at-Arms was instructed to bring in all absent members in the city who

Question then recurring on the amendment by Mr. Petsch, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas-47.

Mr. Speaker. Baker. Barnett. Ackerman. Brice. Anderson.

Carpenter. Mauritz. McDonald. Chastain. Coltrin. McGill. Conway. Cox of Limestone. McKean. Metcalfe. Montgomery. Davis. Petsch. Duvall. Ewing. Pool. Pope of Jones. Fuchs. Graves Renfro. of Williamson. Sanders. · Graves of Erath. Shaver. Sherrill. Hardy. Harman. Stevenson. Heaton. Tarwater. Van Zandt. Jenkins. Johnson Williams of Dimmit. of Sabine. Williams Johnson of Smith. of Travis. Woodall. Kayton. Mankin. Marks.

Nays-60.

Albritton. McCombs. Bateman. Minor. Beck. Moore. Bond. Morse. Bounds. Negley. Cox of Lamar. Nicholson. Enderby. Olsen. Finn. Pavlica. Forbes. Purl. Quinn. Ray. Gerron. Gilbert. Richardson. Harper. Harrison. Rogers. Hefley. Rountree. Hines. Savage. Hogg. Holder. Shelton. Shipman. Hopkins. Simmons. Hornaday. Smith. Hubbard. Snelgrove. Speck. Jones. Justiss. Storey. Keeton. Tillotson. Turner. Keller. Kemble. Veatch. Kennedy. Wallace. Kincaid. Warwick. King. Webb. Kinnear. White. Wiggs. Lee. Long of Houston. Woodruff. Long of Wichita. Young. Maynard.

Absent.

Acker. Finlay. Adkins. Gates. Bradley. Giles. Brooks. Cox of Navarro. Harding. Johnson of Scurry. Dunlap. Land. Eickenroht. Lemens.

Reid. Mehl. Mullally. Sinks. Murphy. Stephens. O'Neill. Strong. Thompson. Palmer. Thurmond. Patterson. Popè of Nueces. Waddell. Reader. Walters.

Absent-Excused.

Avis. Mosely. Baldwin. Prendergast. DeWolfe. Westbrook. Williams Kenyon. of Hardin. Loy. Martin.

Question then recurring on the amendment by Mr. Graves of Erath, it was lost by the following vote:

Yeas-36.

Ackerman. Johnson of Dimmit. Anderson. Marks. Barnett. Bateman. Mauritz. Bond. McGill. Bounds. Montgomery. Moore. Brice. Carpenter. Petsch. Chastain. Quinn. Coltrin. Ray. Cox of Limestone. Renfro. Enderby, Rogers. Ewing. Savage. Gilbert. Shipman. Graves of Erath. Snelgrove. Hardy. Warwick. Webb. Harman. Williams Heaton. of Sabine. Jenkins. Jones.

Nays-66.

Albritton. Justiss. Kayton. Baker. Keeton. Beck. Conway. Keller. Cox of Lamar. Kemble. Dunlap. Kennedy. Duvall. Kincaid. Finn. King. Forbes. Kinnear. Fuchs. Lee. Long of Houston. Long of Wichita. Gerron. Graves of Williamson. Maynard. Harper. McCombs. McKean. Harrison. Metcalfe. Hefley. Hogg. Hopkins. Minor. Morse. Hornaday. Negley.

Hubbard.

Johnson of Smith. Olsen.

Nicholson.

Pavlica. Storey. Pool. Tarwater. Pope of Jones. Tillotson. Purl. Turner. Richardson. Van Zandt. Rountree. Veatch. Wallace. Sanders. Shaver. White. Wiggs. Williams Shelton. Sherrill. of Travis. Simmons. Woodall. Smith. Speck. Woodruff. Young. Stevenson.

Absent.

McDonald. Acker. Mehl. Adkins. Mullally. Bradley. Murphy. Brooks. Cox of Navarro. O'Neill. Palmer. Davis. Eickenroht. Patterson. Finlay. Pope of Nueces. Reader. Gates. Giles. Reid. Harding. Sinks. Hines. Stephens. Holder. Strong. Johnson of Scurry. Thompson. Thurmond. Land. Lemens. Waddell. Walters. Mankin.

Absent-Excused.

Avis. Mosely.
Baldwin. Prendergast.
DeWolfe. Westbrook.
Kenyon. Williams
Loy. of Hardin.
Martin.

Mr. Petsch offered the following amendment to the bill:

Amend House bill No. 201, page 8, Section 18, by adding after the word "issued" in line 38 the following: "provided, that the Highway Department is hereby authorized to issue a registration certificate for all motor vehicle equipment not exceeding ninety-six (96) inches in width."

The amendment was adopted.

Mr. Quinn offered the following amendment to the bill:

Amend House bill No. 201 by striking out the words "January" and "February" wherever they appear in the bill and insert the words "June" and "July."

The amendment was lost.

Mr. Pope of Nueces offered the following amendment to the bill:

Amend House bill No. 201 by adding Hubbard.

a new section between lines 9 and 10, page 10, to be numbered Section 22a, to read as follows:

"Sec. 22a. That the funds available for use of the State Highway Department under the terms hereof shall not be used or expended by the State Highway Department or under its orders except by and with the agreement and consent of the county commissioners court of the county in which such funds are to be used or expended."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas-62.

Long of Houston. Ackerman. Albritton. Long of Wichita. Baker. Mankin. Barnett. Maynard. McDonald. Bond. McKean. Brice. Brooks. Moore. Coltrin. Olsen. Conway. Cox of Lamar. Palmer. Patterson. Cox of Limestone. Pavlica. Davis. Pope of Nueces. Dunlap. Quinn. Enderby. Renfro. Ewing. Richardson. Eickenroht. Rogers. Sanders. Finn. Finlay. Shelton. Gerron. Sherrill. Graves Shipman. of Williamson. Snelgrove. Graves of Erath. Stevenson. Harman. Storey. Harrison. Veatch. Hefley. Webb. White. Hines. Wiggs. Holder. Williams Hopkins. of Sabine. Jenkins. Woodall. Kennedy. Woodruff. King. Young. Kinnear. Lee.

Nays-44.

Johnson Mr. Speaker. of Dimmit. Bateman. Johnson Beck. of Smith. Bounds. Jones. Carpenter. Justiss. Duvall. Kayton. Forbes. Fuchs. Keeton. Kemble. Gilbert. Kincaid. Harper. Hogg. Mauritz. Hornaday. McCombs. McGill.

Minor. Shaver. Montgomery. Simmons. Morse. Smith. Negley. Speck. Petsch. Tarwater. Pool. Tillotson. Purl. Van Zandt. Ray. Warwick. Rountree. Williams Savage. of Travis.

Present-Not Voting.

Anderson. Hardy.

Marks. Pope of Jones.

Heaton.

Absent.

Acker. Mullally. Adkins. Murphy. Bradley. Nicholson. Chastain. O'Neill. Cox of Navarro. Reader. Gates. Reid. Giles. Sinks. Harding. Stephens. Johnson of Scurry. Strong. Keller. Thompson. Land. Thurmond. Turner. Lemens. Mehl. Waddell. Metcalfe. Walters.

Absent—Excused.

Avis. Mosely. Baldwin. Prendergast. DeWolfe. Wallace. Kenyon. Westbrook. Loy. Williams Martin. of Hardin.

Mr. Pope of Nueces moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Montgomery offered the following amendment to the bill:

Amend House bill No. 201, page 8, by striking out in line 9 the words "said license" and all of lines 10 to 17, both inclusive.

The amendment was adopted.

Purl offered the following

amendment to the bill:

Amend House bill No. 201 by adding after subsection 1n, page 2, the following: "provided, however, that the term 'motor bus' as herein defined shall not include motor vehicles operated exclusively within or within five miles of the limits of any incorporated city or town."

Question recurring on the amendment, year and nays were demanded.

The amendment was adopted by the following vote:

Yeas-72.

Long of Wichita. Marks. Mr. Speaker. Ackerman. Anderson. Maynard. Baker. McCombs. Beck. McGill. Bond. McKean. Carpenter. Metcalfe. Chastain. Minor. Coltrin. Montgomery. Conway Moore. Cox of Limestone. Morse. Davis. Negley. Dunlap. Patterson. Duvall. Pope of Jones. Enderby. Pope of Nueces. Finlay. Purl. Forbes. Ray. Gerron. Renfro. Gilbert. Rogers. Graves Sanders. of Williamson. Savage. Hardy. Shaver. Harman. Shelton. Harrison. Sherrill. Heaton. Simmons. Hogg. Holder. Smith. Snelgrove. Hubbard. Speck. Johnson Storey. Tarwater. of Dimmit. Johnson Tillotson, of Smith. Turner. Jones. Veatch. Kayton. Warwick. Keeton. White. Wiggs. Keller. Kemble. Williams Kincaid. of Sabine.

Nays-32.

Lee.

Albritton. Mauritz. Barnett. McDonald. Bounds. Nicholson. Brooks. Olsen. Cox of Lamar. Palmer. Ewing. Pavlica. Graves of Erath. Quinn. Richardson. Harper. Hefley. Rountree. Hines. Shipman. Jenkins. Stephens. Stevenson. Justiss. Kennedy. Van Zandt. King. Woodall. Long of Houston. Woodruff. Mankin. Young.

Present-Not Voting.

Webb. Williams of Travis.

Absent.

Acker. Land. Adkins. Lemens. Bateman. Mehl. Mullally. Bradley. Brice. Murphy. Cox of Navarro. O'Neill. Petsch. Eickenroht. Pool. Finn. Reader. Fuchs. Gates. Reid. Sinks. Giles. Harding. Strong. Thompson. Hopkins. Hornaday. Thurmond. Johnson of Scurry. Waddell. Kinnear. Walters.

Absent—Excused.

Avis. Mosely.
Baldwin. Prendergast.
DeWolfe. Wallace.
Kenyon. Westbrook.
Loy. Williams
Martin. of Hardin.

Mr. Tillotson offered the following amendment to the bill:

Amend House bill No. 201, page 5, line 11, by striking out the word "buses" in said line.

The amendment was adopted.

Mr. Gerron offered the following amendment to the bill:

Amend House bill No. 201, Section 8, page 5, by striking out lines 1, 2, 3, 4, 5, 6 and 8 and insert in lieu thereof the following:

Gross weights, in pounds.

1 to 2,000......\$3.00 per car 2,001 to 3,500............5.00 per car 3,501 up7.00 per car

Mr. Van Zandt raised a point of order on further consideration of the amendment on the ground that an amendment containing the same subject matter has been acted on by the House.

The Speaker sustained the point of order.

Mr. Hornaday offered the following amendment to the bill:

Amend House bill No. 201, Section 8, page 4, by adding to line 37 the following, "and for each side car, \$3."

The amendment was adopted.

Mr. Tillotson offered the following

amendment to the bill:

Amend House bill No. 201, page 10, line 6, by changing the figures after the word "article" in said line to the following: "806, 807, 810, 811, 818, 819, and 820."

The amendment was adopted.

Mr. Beck offered the following amendment to the bill:

Amend House bill No. 201, page 9, line 38, by adding after the word "act," "provided, however, that if it be held that this act is invalid because of unequal collection of taxes or fees as between the counties of the State, then the funds arising hereunder shall be distributed 35 per cent to the State Highway Department and 65 per cent to the respective counties where such collections are made."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas-58.

Keller. Albritton. Kemble. Baker. Bateman. Kennedy. Kinnear. Beck. Bond. Lee. Long of Wichita. McCombs. Bounds. Brooks. Carpenter. Metcalfe. Coltrin. Minor. Conway. Cox of Navarro. Montgomery. Moore. Cox of Lamar. Negley. Davis. Nicholson. Duvall. Olsen. Patterson. Ewing. Purl. Finn. Rogers. Forbes. Graves Rountree. of Williamson. Sanders. Hardy. Savage. Shaver. Harper. Shelton. Hines. Simmons. Hogg. Hornaday. Smith. Tarwater. Jenkins. Wallace. Johnson of Dimmit. Warwick. Webb. Jones. Williams Justiss. of Travis. Kayton. Keeton.

Nays-47.

Harman. Mr. Speaker. Harrison. Ackerman. Hefley. Anderson. Holder. Barnett. Johnson of Smith. Brice. Kincaid. Chastain. King. Cox of Limestone. Long of Houston. Enderby. Marks. Finlay. Mauritz. Fuchs. McDonald. Gerron. McGill. Gilbert. Graves of Erath. McKean.

Morse. Shipman. Palmer. Snelgrove. Pavlica. Speck. Pool. Stevenson. Pope of Jones. Storey. Pope of Nueces. Veatch. Quinn. White. Ray. Renfro. Williams of Sabine. Richardson. Young. Sherrill.

Present-Not Voting.

Heaton. Stephens. Van Zandt. Wiggs. Woodall.

Absent.

Acker. Mullally. Adkins. Murphy. Bradley. O'Neill. Dunlap. Petsch. Eickenroht. Reader. Gates. Reid. Giles. Sinks. Harding. Strong. Hopkins. Thompson. Hubbard. Thurmond. Johnson of Scurry. Tillotson. Turner. Land. Waddell. Lemens. Mankin. Walters. Maynard. Woodruff. Mehl.

Absent—Excused.

Avis. Mosely. Baldwin. Prendergast. DeWolfe. Westbrook. Kenyon. Williams Loy. of Hardin. Martin.

Mr. Pope of Nueces offered the following amendment to the bill:

Amend House bill No. 201 by adding a new section between lines 38 and 39, page 9, to be numbered Section 21a, to read as follows:

"Sec. 21a. If the State Highway Department shall designate any highway in this State and the people of any county through which or into which such highway or part thereof is designated shall vote bonds with which to pay the county's part of the cost of constructing such part of such highway, and at the time of voting such bonds the people of such county shall deter-mine the location of such highway into or across such county, the State Highway Department shall recognize such location by the people of such county made at such bond election, and the State Highway Department shall be Kennedy.

without authority to deny aid to such county because of its disagreement as to such location."

Mr. Kayton raised a point of order on further consideration of the amendment on the ground that it is not germane to the bill.

The Speaker sustained the point of order.

House bill No. 201 was then passed to engrossment by the following vote:

Yeas-108.

Mr. Speaker. Kincaid. Ackerman. King. Kinnear. Albritton. Anderson. Lee. Baker. Long of Houston. Barnett. Mankin. Bateman. Marks. Beck. Maynard. Bond. McCombs. Bounds. McDonald. McGill. Brice. McKean. Brooks. Metcalfe. Carpenter. Chastain. Minor. Coltrin. Conway. Moore. Cox of Navarro. Morse. Cox of Lamar. Negley. Cox of Limestone. Olsen. Davis. Palmer. Dunlap. Duvall. Pavlica. Enderby. Ewing. Eickenroht. Purl. Finn. Quinn. Řay. Renfro. Forbes. Gerron. Gilbert. Graves Rogers. of Williamson. Graves of Erath. Sanders. Hardy. Savage. Harper.

Harrison. Heaton. Hefley. Hines. Hogg. Holder. Hopkins. Hornaday. Hubbard. Johnson of Dimmit. Johnson of Smith. Jones. Justiss. Kayton. Keeton. Kemble.

Montgomery. Patterson. Pope of Jones. Pope of Nueces. Richardson. Rountree. Shaver. Shelton. Sherrill. Shipman. Simmons. Smith. Snelgrove. Speck. Stephens. Stevenson. Storey. Tarwater. Tillotson. Turner. Van Zandt. Veatch. Wallace. Warwick. Webb.

White.
Wiggs.
Williams
of Sabine.

Williams of Travis. Woodall. Woodruff. Young.

Nays-7.

Finlay. Jenkins. Long of Wichita. Mauritz. Nicholson. Petsch. Pool.

Absent.

Acker. Mehl. Adkins. Mullally. Bradley. Murphy. Fuchs. O'Neill. Gates. Reader. Giles. Reid. Harding. Sinks. Harman. Strong. Thompson. Johnson of Scurry. Thurmond. Keller. Land. Waddell. Lemens. Walters.

Absent—Excused.

Avis.
Baldwin.
DeWolfe.
Kenyon.
Loy.
Martin.

Mosely. Prendergast. Westbrook. Williams of Hardin.

HOUSE BILL NO. 201 ON THIRD READING.

Mr. Tillotson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 201 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-104.

Mr. Speaker. Enderby. Ackerman. Ewing. Finn. Albritton. Anderson. Forbes. Gerron. Baker. Barnett. Gilbert. Bateman. Graves of Williamson. Beck. Bond. Graves of Erath. Bounds. Hardy. Brice. Harper. Brooks. Harrison. Carpenter. Heaton. Chastain. Hefley. Coltrin. Hines. Conway. Hogg. Holder. Cox of Lamar. Cox of Limestone. Hopkins. Dunlap. Hornaday. Duvall. Hubbard.

Jenkins. Johnson of Dimmit. Johnson of Smith. Jones. Justiss. Kayton. Keeton. Kemble. Kennedy. Kincaid. King. Kinnear. Lee. Long of Houston. Mankin. Marks. McCombs. McDonald. McGill. McKean. Metcalfe. Montgomery. Moore. Morse. Negley. Olsen. Palmer. Patterson. Pavlica. Pool. Pope of Jones. Pope of Nueces.

Nays—6.

Eickenroht. Finlay. Long of Wichita.

Quinn.

Ray.

Mauritz. Nicholson. Petsch.

Renfro.

Rogers.

Sanders.

Savage.

Shaver.

Shelton.

Sherrill.

Smith.

Speck.

Storey.

Shipman.

Simmons.

Snelgrove.

Stephens.

Stevenson.

Tarwater.

Tillotson.

Van Zandt.

Turner.

Veatch.

Wallace.

Webb.

White.

Wiggs.

Williams

Williams

Woodall.

Young.

Woodruff.

of Sabine.

of Travis.

Warwick.

Rountree.

Richardson.

Absent.

Acker. Mehl. Adkins. Minor. Bradley. Mullally. Cox of Navarro. Murphy. O'Neill. Davis. Fuchs. Purl. Reader. Gates. Reid. Giles. Harding. Sinks. Strong. Harman. Johnson of Scurry. Thompson. Keller. Thurmond. Land. Waddell. Walters. Lemens Maynard.

Absent-Excused.

Avis.
Baldwin.
DeWolfe.
Kenyon.
Loy.
Martin.

Mosely. Prendergast. Westbrook. Williams of Hardin. The Speaker then laid House bill No. 201 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas-108.

Mr. Speaker. Mankin. Ackerman. Marks. Albritton. Maynard. McCombs. Anderson. Baker. McDonald. Barnett. McGill. Bateman. McKean. Beck. Metcalfe. Bond. Minor. Bounds. Montgomery. Brice. Moore. Carpenter. Morse. Chastain. Negley. Coltrin. Olsen. Conway. Palmer. Cox of Navarro. Cox of Lamar. Patterson. Pavlica. Cox of Limestone. Pool. Davis. Pope of Jones. Dunlap. Pope of Nueces. Enderby. Purl. Ewing. Quinn. Eickenroht. Ray. Renfro. Finn. Forbes. Richardson. Fuchs. Rogers. Gerron. Rountree. Sanders. Gilbert. Graves Savage. of Williamson. Shaver. Graves of Erath. Shelton. Hardy. Sherrill. Harman. Shipman. Harper. Simmons. Harrison. Smith. Heaton. Snelgrove. Hefley. Speck. Hines. Stephens. Holder. Stevenson. Hopkins. Storey. Hornaday. Tarwater. Hubbard. Tillotson. Jones. Turner. Justiss. Van Zandt. Johnson Veatch. of Dimmit. Wallace. Johnson of Smith. Warwick. Webb. Kayton. Keeton. White. Keller. Wiggs. Kemble. Williams of Sabine. Williams Kennedy. Kincaid. King. of Travis. Woodall. Kinnear. Lee. Woodruff.

Long of Houston.

Young.

Nays-4.

Finlay. Long of Wichita. Jenkins. Nicholson.

Absent.

Acker. Mehl. Mullally. Adkins. Bradley. Murphy. Brooks. O'Neill. Duvall. Petsch. Gates. Reader. Giles. Reid. Harding. Sinks. Hogg. Johnson of Scurry. Strong. Thompson. Thurmond. Lemens. Waddell. Mauritz. Walters.

Absent—Excused.

Avis. Mosely.
Baldwin. Prendergast.
DeWolfe. Westbrook.
Kenyon. Williams
Loy. of Hardin.
Martin.

HOUSE BILL NO. 207, WITH SENATE AMENDMENTS.

Mr. Johnson of Dimmit called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 207, A bill to be entitled "An Act defining an emigrant agent, and providing a license fee therefor and bond necessary to be given, and providing penalties for a violation of this act, or making false statements in connection therewith, and creating an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Johnson of Dimmit, the House concurred in the Senate amendments by the following vote:

Yeas-112.

Mr. Speaker. Chastain. Ackerman. Coltrin. Conway. Albritton. Cox of Lamar. Anderson. Baker. Cox of Limestone. Davis. Barnett. Bateman. Duvall. Enderby. Beck. Bond. Ewing. Eickenroht. Bounds. Finn. Brice. Carpenter. Finlay.

Forbes. Moore. Fuchs. Morse. Gerron. Negley. Gilbert. Nicholson. Graves Olsen. of Williamson. Palmer. Graves of Erath. Patterson. Pavlica. Hardy. Harman. Petsch. Pool. Harper. Pope of Jones. Harrison. Pope of Nueces. Heaton. Hefley. Purl. Quinn. Hines. Hogg. Ray. Holder. Renfro. Rogers. Hopkins. Rountree. Hornaday. Hubbard. Sanders. Jenkins. Shaver. Johnson Shelton. of Dimmit. Sherrill. Johnson of Smith. Shipman. Jones. Simmons. Justiss. Smith. Kayton. Snelgrove. Speck. Keeton. Keller. Stephens. Kemble. Stevenson. Kennedy. Storey. Kincaid. Tarwater. King. Tillotson. Kinnear. Turner. Van Zandt. Lee. Long of Houston. Veatch. Long of Wichita. Mankin. Warwick. Webb. White. Marks. Mauritz. Wiggs. Williams Maynard. McCombs. of Sabine. Williams McDonald. McGill. of Travis. McKean. Woodall. Woodruff. Metcalfe. Minor. Young. Montgomery.

Nays—2.

Richardson.

Savage.

Absent.

Acker. Mehl. Adkins. Mullally. Bradley. Murphy. Brooks. O'Neill. Cox of Navarro. Reader. Dunlap. Reid. Gates. Sinks. Giles. Strong. Thompson. Harding. Thurmond. Johnson of Scurry. Waddell. Land. Lemens. Walters.

Absent-Excused.

Avis. Mosely.
Baldwin. Prendergast.
DeWolfe. Wallace.
Kenyon. Westbrook.
Loy. Williams
Martin. of Hardin.

MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, May 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

H. B. No. 207, A bill to be entitled "An Act defining an emigrant agent and providing a license fee therefor and bond necessary to be given, and providing penalties for a violation of this act, or making false statements in connection therewith, and creating an emergency," with amendment.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

BILL ORDERED NOT PRINTED.

On motion of Mr. Finlay, House bill No. 217 was ordered not printed.

ADJOURNMENT.

Mr. Kayton moved that the House adjourn until 10 o'clock a. m. to-morrow.

Mr. Kinnear moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Anderson moved that the House recess to 10 o'clock a. m. tomorrow.

The motion of Mr. Kayton prevailed and the House, accordingly, at 11:05 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

Game and Fisheries: Senate bill No. 111.

Highways and Motor Traffic: Senate bill No. 115.

Judiciary: Senate bills Nos. 51 and 52; House bill No. 198.

Live Stock and Stock Raising: Senate bill No. 27.

School Districts: House bill No. 220. Criminal Jurisprudence: House bill

The following committees have today filed adverse reports on bills as follows: School Districts: House bills Nos. 166 and 191.

Criminal Jurisprudence: House bill No. 149.

State Affairs: Senate bills Nos. 104, 11 and 45; House bills Nos. 187, 228 and 192.

Public Lands and Buildings: Senate bill No. 42.

Revenue and Taxation: House bill No. 73.

Game and Fisheries: House bill No. 217.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room, Austin, Texas, May 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed

Bills, to whom was referred H. B. No. 89, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to accept and award all applications for the repurchase of public school land forfeited and reappraised under Chapter 94, an Act approved October 19, 1925, for which applications or the first payment therefor were filed in the Land Office after the expiration of the time allowed by law for the filing thereof, but for which applications and the first payment were so filed; such acceptance and award to be subject to existing rights of any third party who may have filed oil and gas applications thereon, and declaring an emergency,

Has carefully compared same and find

it correctly engrossed.

McCOMBS, Chairman.

Committee Room, Austin, Texas, May 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Your Committee on Engrossed

Bills, to whom was referred

H. B. No. 98, A bill to be entitled "An Act authorizing the commissioners courts of the several counties in Texas to issue refunding bonds for the purpose of refunding road bonds that have been issued by authority of statutes enacted pursuant to Section 52 of Article 3 of "An Act amending Article 5561 of the

the Constitution of Texas, for and on behalf of counties, political subdivisions and defined districts and consolidated districts in such counties, and authorizing the commissioners courts to pass all appropriate orders to carry out such refunding; and to levy ad valorem taxes in payment thereof, and declaring an emergency,

Has carefully compared same and find

it correctly engrossed.

McCOMBS, Chairman.

Committee Room, Austin, Texas, May 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 179, A bill to be entitled "An Act authorizing persons who, while acting as a duly elected and qualified tax collector of any county in Texas, erroneously paid to the county any excess fees of office, to sue the county for the fees so erroneously paid; authorizing payment of a claim without the necessity of suit; providing that the plea of limitation shall not be available to the county as a defense against such action; that the plea of limitation shall not be available to the plaintiff against crossactions brought by the defending county, and declaring an emergency,'

Has carefully compared same and find

it correctly engrossed.

McCOMBS, Chairman.

Committee Room, Austin, Texas, May 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Your Committee on Engrossed Bills, to whom was referred

H. B. No. 97, A bill to be entitled "An Act to amend Articles 6205 and 6221, of Title 109, of the Revised Civil Statutes of 1925, and to amend Chapter 153 of the General Laws of the Fortyfirst Legislature, and declaring an emergency,"

Has carefully compared same and find

it correctly engrossed.

McCOMBS, Chairman.

Committee Room, Austin, Texas, May 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 199, A bill to be entitled

Revised Civil Statutes of the State of Texas, 1925, so as to provide that officers and jurors in lunacy cases shall be allowed compensation for similar services performed in misdemeanor cases in the justice courts, to be paid out of the estate of the defendant if he have an estate, otherwise by the county on accounts approved by the county judge,"

Has carefully compared same and find

it correctly engrossed.

McCOMBS, Chairman.

Committee Room, Austin, Texas, May 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 76, A bill to be entitled "An Act for the eradication of contagious, infectious and communicable diseases among cattle, horses, mules, asses, sheep, goats, hogs and other live stock, domestic animals and domestic fowls; also other diseases; providing for the establishment of quarantines, and penalties for violations of provisions of this act; providing for the testing of cattle for tuberculosis and branding cattle that show a positive reaction to a tuberculin test, and declaring an emergency,"

Has carefully compared same and find

it correctly engrossed.

McCOMBS, Chairman.

Committee Room, Austin, Texas, May 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 80, A bill to be entitled "An Act to ratify and adopt in principle the Canadian River Compact between the States of New Mexico. Texas and Oklahoma, executed on the 31st day of December, 1926, by the commissioners of said States, which ratification and adoption is made subject to certain conditions, and declaring an emergency,

Has carefully compared same and find

it correctly engrossed.

McCOMBS, Chairman.

Committee Room. Austin, Texas, May 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed | Bills, to whom was referred Bills, to whom was referred

"An Act authorizing certain cities and counties to acquire and maintain and operate air ports; limiting the amounts of land which may be acquired or held for such purpose; providing for the necessary funds for such purpose; providing regulations for the operation, maintenance and support of such air ports; enacting all necessary provisions incidental to the general purpose of this act in providing for the acquisition, maintenance and operation of said air ports, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS. Chairman.

Committee Room. Austin, Texas, May 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Your Committee on Engrossed Bills, to whom was referred

H. B. No. 137, A bill to be entitled "An Act validating the sale of real estate by executors and administrators when citation was published as provided in Chapter 179, Acts of Regular Session, 1917, being now Article 28 of the Revised Civil Statutes of Texas, 1925, and where such citation was not posted as provided in Article 3568 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency,

Has carefully compared same and find

it correctly engrossed.

McCOMBS, Chairman.

Committee Room, Austin, Texas, May 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 122, A bill to be entitled "An Act to provide for the sexual sterilization of inmates of State institutions in certain cases; prescribing the method of procedure and fixing the duties of officials concerned therewith, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room, Austin, Texas, May 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed

H. B. No. 182, A bill to be entitled H. B. No. 160, A bill to be entitled "An Act to provide more adequate compensation for county judges in counties which have voted road and bridge bonds amounting to six million dollars or more and in addition flood protection bonds amounting to one million dollars or more, and providing for the employment of a stenographer for such judges, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room, Austin, Texas, May 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 135, A bill to be entitled "An Act to prevent fraud in the purchase of gasoline and oil and to assure correct measurement, and declaring the retail sale of gasoline and oil to be affected with a public interest; providing for the licensing of operators of pumps or devices for the measurement of gasoline and oil, and providing for the issue of such license, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room; Austin, Texas, May 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 6, Relating to heirs of Edward (T.) Wingate.

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

COMMUNICATION IN REGARD TO INHERITANCE TAX.

The following communication was ordered printed in the Journal:

Austin, Texas, May 14, 1929.

Hon. Adrian Pool, House of Representatives, Austin, Texas.

Dear Mr. Pool: At your request I am advising you as follows with reference to inheritance taxes against the estate of E. D. Farmer, deceased:

Mr. Farmer died in 1924. By will,

he directed that his entire Texas estate, which the executor has reported of the net value of \$1,386,000, be distributed to charity and benevolent objects.

Since, under the inheritance tax law, the tax is computed upon individual bequests, the question arose in this office as to how it should be assessed. I was advised by the Attorney General that the tax could not be assessed until the executor should designate the particular charities which should share in the fund and that the tax would then be computed upon each separate gift. Consequently, we have been unable to compute the tax.

In 1927 the Legislature exempted from the inheritance tax gifts to charity and benevolent institutions in Texas; therefore, in so far as the estate is distributed in Texas, there will be no tax.

The largest amount of taxes that could possibly be assessed would be in the event the executor gave all the estate, in one lump sum, to one foreign charity or benevolent institution. Assuming the executor's valuation to be correct, this would cause the tax to be about \$207,000. If only a part of the estate be given outside Texas, or if such foreign gifts be distributed to different purposes, the tax would be computed upon the individual gifts. In either amount, the tax would be considerably less than the amount mentioned.

Very truly yours,
S. H. TERRELL,
State Comptroller of Public Accounts.

SEVENTEENTH DAY.

(Thursday, May 16, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker. Coltrin. Conway Acker. Ackerman. Cox of Navarro. Adkins. Cox of Lamar. Cox of Limestone. Albritton. Anderson. Davis. Baker. Dunlap. Barnett. Duvall. Enderby. Bateman. Beck. Ewing. Eickenroht. Bond. Finn. Bounds. Brice. Finlay. Brooks. Forbes. Carpenter. Fuchs.

Gates.

Chastain.